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Parliamentary History.

VOL. III.

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William Cobbett.

THE Parliamentary History OF ENGLAND,

FROM

THE EARLIEST PERIOD

TO

THE YEAR

1803.

FROM WHICH LAST-MENTIONED EPOCH IT IS CONTINUED DOWNWARDS IN THE WORK ENTITLED, "THE PARLIAMENTARY DEBATES."

VOL. III.

A. D. 1642—1660.

LONDON:

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1808.

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THE Volume now presented to the Public embraces the period from the Battle of Edge-hill, in October 1642, to the Meeting of the Parliament begun at Westminster, April the 25th, 1660, commonly called the CONVENTION PARLIAMENT, which was sitting at the return of Charles the Second, in the month of May following, and which voted his RESTORATION. As the Materials from which it has been compiled are drawn from the same sources as those of the preceding Volumes, it is almost unnecessary to say any thing by way of addition to what is therein stated: but, as the Editors of the Parliamentary or Constitutional History of England, in 24 volumes 8vo, published in 1751, conclude their labours with the Restoration, it may be proper again to state, that that masterly performance has, thus far, been made the ground-work of the present undertaking. The many Narratives of Battles Sieges, &c. with which the work just mentioned abounds, and which serve only as an incumbrance to the Reader, and a constantly intervening obstacle to his researches, have been purposely omitted; while, at the same time, every thing connected with the real Proceedings of Parliament, and that could, by possibility, be hereafter useful to the Historian or the Politician, has been most cautiously retained. The Journals of both Houses, those great fountains of authentic information, have, in every instance, been carefully consulted and followed: Many Notes, illustrating, from the Historians of the Times, the Characters of the principal Members of both Houses, and explaining, where necessary, the business before them, have been introduced: And, to the whole is subjoined, by way of Appendix, a very scarce and curious Tract, published in the Year 1660, almost immediately after the Dissolution of the Long Parliament, entitled, "*The MYSTERY OF THE "GOOD OLD CAUSE briefly unfolded, in a Catalogue of such Members "of the late Long Parliament, that held Places, both Civil and Military, "contrary to the Self-Denying Ordinance: Together with the Sums of "Money and Lands which they divided amongst themselves during their "Sitting.*"

January 1, 1808.

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II. DECLARATIONS,
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1642 William Laud. Beheaded in 1644. The See vacant till the Restoration.

Lord High Chancellors.

1645 Sir Richard Lane, Aug. 27. (Upon the death of Lord Littleton, he got the Custody of the Great Seal).
1643 Edward, Earl of Manchester, but afterwards John, Earl of Rutland; Oliver, Earl of Bolingbroke; Mr. Brown; Mr. St John; Mr. Wylde; and Mr. Prideaux; appointed by the Parliament, Keepers of the Great Seal.
1646 Edward, Earl of Manchester; and William Lenthall, Speakers of both Houses of Parliament, Keepers.
1648 Henry, Earl of Kent; William, Lord Grey of Werke, Sir Thomas Widdrington, knight, and Bulstrode Whitlocke, esq.
1654 John Lisle, Sir Thomas Widdrington and Bulstrode Whitlocke.
1656 Nathaniel Fiennes, John Lisle, and Bulstrode Whitlocke.
1658 Sir Edward Hyde. knt. and bart. Keeper, (Created Lord Hyde) Jan. 13: constituted Lord High Chancellor, Jan. 29; and created Earl of Clarendon.

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Speakers of the House of Commons.

1642 William Lenthall, esq.
1643 Francis Rous, esq.
1654 William Lenthall, esq. restored
1656 Sir Thomas Widdrington.
1658 Chaloner Chute, esq. Jan. 27. But being unable to attend, on account of ill health, the House, on the 9th of March, chose
Sir Lislebone Long, to supply his place. But, Sir Lislebone dying on the 16th, the Commons delegated to this Office,
Thomas Bampfield, esq. And Mr. Chute, dying also, on the 15th of April following, Mr. Bampfield was then chosen their Speaker.

Masters of the Rolls.

1642 Sir John Colepeper, Jan. 30.
1645 William Lenthall, esq. Nov. 22.

Attorney General.

1642 Sir Edward Herbert, knt.

Solicitors General.

1642 Oliver St. John.
1643 Sir T. Gardner, knt. and bart.

XVII. APPENDIX.

MYSTERY OF THE GOOD OLD CAUSE briefly unfolded, in a Catalogue of such Members of the late Long Parliament, that held Places, both Civil and Military, contrary to the Self-Denying Ordinance of April 3, 1645 - - - - - 1591

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Parliamentary History.

18 CHARLES I.—A. D. 1642.

PROCEEDINGS towards a Peace.] Oct. 29, 1642. Notwithstanding the military exhortations to the citizens of London which concluded our last Volume, it was this day moved in the house of lords, 'That it might be taken into consideration, how to prevent farther bloodshed between the two Armies, and to consider of some means to beget a Peace.'

Nov. 2. Both houses had been busy in making Orders for opposing sir Ralph Hopton's armament in the west of England, and the other in Wales, mentioned in Mr. Secretary Nicholas's Letter, which had been communicated to the citizens of London at Guildhall, by the earl of Pembroke, on the 27th of the last month. (See vol 2. p. 1474). These two newly raised armies appeared so formidable to the parliament, that, in all probability, it stirred up the above motion for settling a Peace, and brought on the further consideration of it this day. The result of which was, That to prevent the further effusion of blood, and to settle the present distractions of the kingdom, a conference should be held, in which the following Letter should be communicated to the commons, which the Committee of Safety had received from their lord-general, in answer to one written to him on this occasion:

"My lords and gentlemen; I have received a Letter from you that mentions an humble Petition to be directed to his maj. to save the effusion of more blood. In the first place, I ought to acknowledge the favour of your desiring to hear from me before you send it. In the second place, to declare that an happy accommodation for the advancement of religion, the flourishing of this kingdom, with its antient rights, the saving the effusion of more blood, and the uniting his majesty to his parliament, none shall pray for more, nor receive with more joy than myself. If I had not, by the commands of the parliament, been here to govern this army, I should have given my attendance upon you; and should have discharged my conscience, to the best of my abilities, honestly and clearly; but, being absent, and not hearing the debates, nor from whence this hath risen, I must submit myself to their greater judgments; and shall, with all obedience, submit both to what they shall do, and to obey their former commands to advance towards London, to interpose, with my utmost, between them and all dangers, Your, &c. ESSEX. Northampton, Nov. 1. 1642."

Notwithstanding the last mentioned military preparations, and the earl of Essex's declaration of his readiness to march towards London, both houses thought fit to proceed in their pacific measures; and ordered a Petition to the king to be drawn up: but, previous to this, 'lest the affections of the people should grow cold,' as Mr. Pym expressed himself at the conference, a Declaration was to be published to this purport:

"Whereas the lords and commons have ordered, That it should be referred to the committee for the safety of the kingdom, to prepare heads for an humble Address to his maj. for composing the present differences and distractions, and settling the present peace of the kingdom, and to present it to the house: yet, to prevent all misconstructions or neglects, whereby our just defence may be hindered, we do declare, That the preparations of forces, and all other necessary means for the defence of the protestant religion, the privileges of parliament, and the laws and liberties of the subject, shall be prosecuted with all vigour."

Nov. 3. The Petition to the King was read by the lords, and agreed to by both houses, as follows:

"We your majesty's most loyal subjects, the lords and commons in parliament assembled, being affected with a deep and piercing sense of the miseries of this kingdom, and of the danger of his majesty's person, as the present

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affairs now stand; and much quickened therein with the sad consideration of the great effusion of blood at the late battle,' (of Edgehill,) 'and of the loss of so many eminent persons: and further weighing the addition of loss, misery, and danger to your majesty and your kingdom, which must ensue, if both armies should again join in another battle; as, without God's especial blessing, and your majesty's concurrence with your houses of parliament, will not probably be avoided; we cannot but believe that a suitable impression of tenderness and compassion is wrought in your majesty's royal heart, being yourself an eye-witness of the bloody and sorrowful destruction of so many of your subjects; and that your maj. doth apprehend what diminution of your own power and greatness will follow; and that all your kingdoms will thereby be so weakened, as to become subject to the attempts of any ill-affected to this state.—In all which respects we assure ourselves, that your majesty will be inclined graciously to accept this our humble Petition, that the misery and desolation of this kingdom may be speedily removed and prevented; for the effecting whereof we most humbly beseech your majesty to appoint some convenient place, not far from London, where your majesty will be pleased to reside, until committees of both houses may attend your majesty, with some Propositions for the removal of these bloody distempers and distractions, and settling the state of the kingdom, in such a manner, as may conduce to the preservation of God's true Religion; your majesty's honour, safety, and prosperity; and to the peace, comfort, and security of all your people."

The houses next considered of the manner of delivering this Petition to the king; and, since the way they sent their last was so disagreeable to him, it was thought proper, that a committee of lords and commons should be sent with it. But, first, that a Letter be written to one of the secretaries of state, or some peer near his majesty, to desire a safe-conduct for these persons; and that a trumpet should be sent before the messenger, to desire a safe-conduct for the delivery of their Letter. Accordingly the lord Grey of Werk, Speaker of the house of lords pro tempore, wrote the following Letter, to lord Falkland, principal secretary to his majesty, or, in his absence, for Mr. Secretary Nicholas, or any of the lords attending his majesty:

"My lord, I am commanded by the lords the peers, and commons assembled in parliament, to address, by you, their humble desires to his majesty, that he would be pleased to grant his Safe-Conduct to a committee of lords and commons to pass and repass unto his maj. that are directed to attend him with an humble Petition from his parliament. I rest your, &c. GREY of Werk."

Nov. 5. Lord Grey received an Answer to the above Letter as follows:

"My lord; His majesty hath commanded me to signify to you, that he always hath been, and is still, ready to receive the humble Petition of either or both houses of parliament; and shall take order, that a committee of lords and commons may pass and repass to him, with the Petition of both houses, as is desired; so as the said committee consists of persons that have not been by his majesty either by name, declared Traitors; or otherwise in some of his Declarations or Proclamations excepted against by name, with his intention declaring to proceed against them as traitors; and so as the said committee come not with more than 30 persons in their company, and give notice before-hand of their coming: and for the said committee's better security, his majesty, upon the receipt of their names, will give a Safe-Conduct for them under his hand and signet. Your, &c. ED. NICHOLAS. Reading, November 4, 1642."

To this Letter, the lord Grey was directed to return the following Answer; but since this Answer, and the consequent Rejoinders, were the chief business of some days, we shall put them altogether, for the reader's greater ease in the perusal:

To the right hon. the lord Falkland, Principal Secretary to his Majesty, &c.

"My lord, I have received a command from the lords and commons in parliament to send you the names of two lords; that it is to say, Algernon earl of Northumberland, Philip earl of Pembroke and Montgomery, and of four members of the house of commons, Mr. Pierrepoint, the lord Wenman, sir John Evelin of Wilts, and sir John Hippesley, being the committees of both houses appointed to attend his majesty with an humble Petition directed from them to his majesty; desiring your lordship will be pleased to move his majesty to send a Safe-Conduct, to pass and repass, under his royal hand and signet, for the several persons aforementioned. I rest, &c. GREY of Werk, Nov. 5."

To the right honourable the lord Grey of Werk, Speaker of the House of Peers, pro tempore, &c.

"My lord, Your lordship's letter, of the 5th, I shewed his majesty, who hath expressly commanded me to return your lordship this Answer in these few words, That his majesty hath sent (which I have inclosed) a Safe-Conduct, under his royal hand and signet, for the earl of Northumberland and the earl of Pembroke and Montgomery, Mr. Pierrepoint, the lord Wenman, and sir John Hippesley; but hath not admitted sir John Evelin to attend him, as being included in the exception made by his majesty in the Letter sent by Mr. Secretary Nicholas to your lordship of the 4th, as by the inclosed Proclamation, proclaimed at his majesty's court at Oxford, and sent, with a writ sealed, into the county of Wilts, will appear. His majesty hath likewise commanded me to signify to your lordship, That in case the houses shall think fit to send any other person in the place of sir J. Evelin, that is not included in the exception made in Mr. Secretary's Letter

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beforementioned, his majesty hath commanded all his officers, soldiers and other subjects to suffer him as freely to pass and repass as if his name had been particularly comprised in this Safe-Conduct. I rest, &c. FALKLAND. Reading, Nov. 6."

His Majesty's SAFE CONDUCT.

" C. R. Our will and pleasure is, and we do hereby strictly charge and command all the officers and soldiers of our present army, and all our ministers and subjects whatsoever, to suffer our right trusty and right well-beloved couzins and counsellors Algernon earl of Northumberland, and Philip earl of Pembroke and Montgomery, and our right trusty and right well-beloved couzin Tho. lord Wenman, and our trusty and well-beloved Wm. Pierrepoint, esq. and sir John Hippesley, knight, (together with their attendants, not exceeding the number of 30) to pass and repass to and from us, they being now sent to attend us with a Petition from both our houses of parliament. This our Safe-Conduct under our royal hand and signet, we charge and command them, and every of them, punctually to observe and obey, as they will answer the contrary at their uttermost perils. Given at our Court at Reading this 6th of Nov. 1642."

The King objects to sir John Evelin's being one of the Committee for settling a Peace.] Then was read the Proclamation, mentioned in lord Falkland's Letter, as a reason why the king excepted against sir John Evelin* as one of the commissioners; after which a debate ensued in the house of lords, and the question being put, Whether the lord Falkland's last Answer should be sent to the commons with the sense of this house upon it, or without it? it passed for the latter, and was sent down accordingly.

Both Houses send a Committee to acquaint the City of London, with the King's refusal of Peace.] The commons sent up a Vote of their house, on the king's objection to sir John Evelin, to this purpose: Resolved, " That this house holds it to be a denial in his majesty, and a Refusal to grant a Treaty with the parliament, in excepting unto one of the messengers that were to present a Petition unto him from both houses, and denying to grant him a Safe-Conduct."—The question being put, by the lords, Whether this Safe-Conduct should be accepted upon these terms? It passed in the Negative.—After this a Committee of both houses were appointed to go into the city of London, to acquaint the common-hall with all the ways the parliament had used to procure a Treaty for a Peace, without being able to effect it; and to quicken them to a resolution of defending and maintaining their liberties and religion, with their lives and fortunes. Likewise, the committee of safety were ordered to prepare a Declaration, upon this denial of the king's to admit such members as were appointed by both houses to present their Petition; one of the heads of which was to be, the king's expressing a readiness to receive a Petition from the rebels in Ireland.

Nov. 8. Two members of the Committee from the Parliament to the City, on the above occasion, were the lord Brooke and sir Henry Vane, junior; whose Speeches at the Guildhall, being yet preserved, we here subjoin them in their own words as follows:

Lord *Brooke* said: " My lord mayor and aldermen, and the rest of the gentlemen here assembled; I am to deliver a message to you from the lords and commons, now assembled in parliament. What I have to say to you is this: I doubt not but you have heard some whisperings of an Accommodation; and no man that is an honest man, a religious man, a free man, that loves religion and the kingdom, but would have an Accommodation; for nothing is more miserable, and nothing is more distracting than war: But that an Accommodation should come upon terms ignoble and disadvantageous, that never was in the thought of either house, and I hope never will be; and, I am to tell you never shall be. I am at this time to intreat you, in the name of both houses of parliament, to go on courageously, and fight, and prepare yourselves for that that is at hand: we hear the enemies approach nearer every day, who aim at nothing else but to swallow up our religion, lives, liberties, and estates; and therefore it becomes you to labour to defend them all. I have more to say, but it is better said here in the Votes of the houses of lords and commons; I desire they should be read unto you, and therein you will fully understand what their sense is.—' Monday, Nov. 7 1642. ' The question being put, Whether a Safe Conduct shall be accepted upon these terms? It past with the negative.'—This was, first, in the house of commons. The meaning of this Vote is, There was a Safe-Conduct sent by his majesty to 6 persons, two of the house of lords, and 4 of the house of commons; among these there was one sir John Evelin, of Wiltshire: the king would not let him have a Safe-Conduct, because he was one that was named, by him, a Traitor the day before; and that was done, as is thought, on purpose to take him off from being one; therefore the commons did look upon that as a Denial, in that he could not have a Safe-Conduct. This Vote of theirs was presented to the lords; and they concurred with it, viz. Resolved upon the question, [Here follows the Resolutions.] " Here is one thing more, gentlemen, that is worth your taking notice of: in the latter end you see there is a committee appointed to come hither to give you an account of the Reasons moving them on to this action; and to shew you all the ways they have used, if it were possible, to

* Sir John Evelin, sir Edw. Hungerford, sir Henry Ludlow, and Walter Long, esq. all of them members of the house of commons, were, by name, excepted in the king's Proclamation of Pardon to the county of Wilts, dated at Oxford, Nov. 2, 1642. Husband's Collections, p. 730.

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have procured a Treaty for a Peace. There is another thing in the end is very remarkable: His majesty will not, but upon terms altogether unfitting, accept of any Treaty from us; yet at the same time, is willing to receive a Petition from the rebels in Ireland. We are no rebels; but dutiful in all we do: they are rebels and traitors in the judgment of all men; and yet he will receive no Petition from us: but he will receive a Petition from them."

Sir *Henry Vane* spoke to this effect:" My lord mayor &c.; It is not unknown to you, with what difficulties, with what dangers, both houses of parliament have a long time conflicted, for to bring the liberties, and the religion, and the welfare of this kingdom into such a posture as might give all the inhabitants thereof full satisfaction. It is not unknown likewise, how busy the enemies of this great work have been, to cast scandals, to cast false aspersions, upon the proceedings, upon the carriage of parliament; they therefore thought fit (that they might undeceive all persons of the greatest malice, and of the greatest opposition to their endeavours) not long since to frame a Petition; a Petition full of humility, a Petition full of modesty, whereby they did desire his majesty that they might apply themselves to make such Propositions to him, as might effect this great work.—This Petition, that it might be delivered, they thought fit for to name six persons; 2 of the lords house, and 4 of the house of commons; men that they thought altogether without the least scruple, without the least exception, knowing that nothing in the carriage of these persons could render them liable to exception, but their duty and observance to the commands of both houses. When the names of these persons were sent to his majesty, for to have a Safe-Conduct, immediately, there came out a Proclamation against one of them, excepting him out of the grace and favour of his majesty, as it is termed, and laying him in the condition of a rebel and of a traitor against him, for his obedience to, and observance of, the commands of parliament. This being brought to both houses, they looked on it as a business of such great importance, that if they should suffer any one member, or any one person, that, through his dutifulness and observance of their commands, should lie under a cloud with his majesty, so as not be admitted to his presence but be looked at in such a condition, as this Proclamation put him in: They looked on it, I say, as the greatest indignity, and the greatest calumny that could befal a parliament; and the greatest discouragement that should lie upon all men to stand to a parliament, if they should not be defended and protected; Hereupon they resolved to declare, That the unwillingness lay not in them to make peace; but it lay in that ill-counsel, and that desperate counsel, that hath hemmed in his majesty; and will not suffer such points, will not suffer such Propositions as these, to take effect with him: but will labour to destroy all your estates and properties, and all that is near and dear to you in this kingdom. The commons, therefore, have thought it fit to acquaint you with these proceedings; to let you know how careful they are, by all good ways, and by all good means, to present their loyalty and duty to his majesty, to take care of themselves, and all that belongs to you: but, when they see all will not take effect, they doubt not but you will join cordially, and join resolutely, with your purses, and with your endeavours, and with all that lies in your power, to acquit yourselves like men; to defend yourselves, to defend them that have laboured in your work, in your cause and who are willing to spend their lives and blood in your service to the utmost man: therefore they desire this of you, that since they have taken this care, you will hearken to no reports that shall tend to the disparagement of their proceedings; but will unanimously concur to defend yourselves against that violence and oppression, that is now almost at your doors.—And this is that we have to recommend to you."

Then the Lord *Brooke* spoke again: Gentlemen; This hon. gentleman hath exprest so fully all that was in the message, that, truly, I should wrong him and myself too, if I should say any more; therefore, I shall now speak to you of another thing. It is not fit any thing that concerns you should be concealed from you. I came this day to this place, about another business, which I have already communicated to my lord mayor and the aldermen, and the committee. I think it will not be unfit you should know it. I have the consent of some, that understand this business very well, to what I now shall do. Gentlemen, the message was this, it was a message from his excellency; it is to let you know how near the danger is at hand, that so you may gird up the loins of your resolution, and act like men of courage. Gentlemen, citizens of London, (better than whom no man did in that army we had lately in the field) the enemies foot, as we understand, are very near Stains, their horse are about Kingston. We cannot say that all are there; but that there are both horse and foot, and it is certain our foot are going to them: so that the question is now, What is to be done? This is a certain truth among all soldiers, That you must keep evil as far off you as you can; you must not let it come near your doors: you must not think to fight in the sighs, and tears, and eyes, and distractions of your wives and children; but to go out and meet it valiantly as you have done.—God hath shewed himself a God of love and mercy, and truly we must give him all the honour of that day; certainly it is the greatest victory that ever was gotten; near 2000 (I love to speak with the least) on their side slain, and, I am confident, not 100 on our side, unless you will take in women and children, carmen and dogs; for they slew the very dogs and all. If you take in women, children, carmen, and dogs, then they slew

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about 200. But that 100 should be slain on one side, and 2000 on the other side, is a very miraculous thing. God that dealt so wonderfully heretofore, it were to distrust him, if we did not think he would do so again. Truly he hath a people among us, exceedingly beloved. What is it we fight for? It is for our religion, and for our God, and for our liberty, and all. And what is it they fight for? For their lust, for their wills, and for their tyranny; to make us slaves, and to overthrow all. Gentlemen, methinks I see your courage by your faces. I spy you ready to do any thing; and the general's resolution is, to go out to-morrow, and do as a man of courage and resolution; and never man did like him; for he was not only general, but common soldier; for he led up his own regiment, he led up his own troop in his own person; and when the left troops of horse deceived him, he brought up the right troops. He himself will go out again, and do again as much as he hath done; all this is for your sakes, for he can be a free man, he can be a gentleman, he can be a great man, he can go where he will; therefore it is only for your sakes he is resolved to go out to-morrow. His forces are weary, his forces are spent, some came but last night into town, some marched above 20 miles, which is a great march, as some that know what it is can tell; but, as weary as they are, he is resolved to go out; and if you will affect the cause, and join with him hand and heart and sword, he will take it as a favour; but if you will not, he doubts not but Gideon's sword will do the work alone. I speak not this that I doubt you, but that you would resolve, that when you hear the drums beat, (for it is resolved that the drums shall beat to morrow; our drums shall beat to lead out our men, and the committee's drums shall beat to lead out their men) say not, I beseech you, I am not of the Trained Band, nor this, nor that, nor the other; but doubt not to go out to the work, and fight courageously, and this shall be the day of your deliverance.

Both Houses resolve, again, to send their Petition to the King.] Nov. 9. Mr. Pym brought up a Resolution, to which he desired their lordships concurrence, viz. Resolved, "That the Petition shall be sent to his majesty; and the reasons which induced the commons to make this Vote, he said, were these; 1. The great advantage which should be gained by a settled Peace; for, thereby, they should better attend to the war in Ireland; and it would unite the king and kingdom more closely, and prevent the loss of our religion and the liberties of the subject; for peace, upon other terms than these, they resolved never to accept: That, 2. The house of commons did, also, consider the danger the king's person was in at the last Battle; and the great mischiefs that war had already brought upon the common-wealth, which would be increased if it should be continued; so much blood being already spilt and many of great quality slain; and that sir John Evelin should be left to his liberty to go along with the rest if he think fit."—To this pacific Vote the lords agreed; but a subsequent request came along with it; which was to desire the lords to join with them in ordering the Lord-General to draw out his Army the next morning; and that a Proclamation should go out that afternoon for all soldiers, on pain of death, to repair to their colours.

Ordinance for encouraging Apprentices to enlist.] This day the commons sent up the following Ordinance:

"Whereas, in times of common danger and necessity, the interest of private persons ought to give way to the public: It is ordained and declared, by the lords and commons in parliament, that such Apprentices as have been, or shall be, listed to serve as soldiers, for the defence of the religion and liberty of the kingdom, his majesty's royal person, the parliament, and the city of London; their sureties, and such as stand engaged for them, shall be secured against their masters, their executors, and administrators, from all loss and inconveniences, by forfeiture of bonds, covenants, infranchisements, or otherwise: And that after this public service is ended, the masters of such Apprentices shall be commanded and required to receive them again into their service, without imposing upon them any punishment, loss, or prejudice for their absence, in defence of the commonwealth. And the lords and commons do further declare, That, if it shall appear that the masters of such Apprentices have received any considerable loss by the absence of their Apprentices, they will take care that reasonable satisfaction shall be made unto them, out of the public stock of the kingdom, according to justice and indifferency."

The commons, also, desired the lords to join with them in sending a committee of both houses again to the city, to acquaint them with the Reasons that moved the parliament to send this Petition to his majesty; and to let them know the Resolution of the parliament is, That they will not agree to any peace, but what shall be fully for the preservation of religion, the liberty of the subject, and the settling the quiet of the kingdom: that if this cannot effectually be done, both houses are resolved to spend their lives and fortunes in the maintenance thereof.—To this the lords agreed, and ordered, That the lord mayor should be desired to call a common-hall. A committee of 4 lords, with a proportionable number of commoners were appointed to go to the city on this occasion.

Both Houses return Thanks to the Earl of Essex.] This day, in the house of lords, a form of Thanks was drawn up to be presented to their Lord-General as follows:

"The lords and commons assembled in parliament having, upon mature deliberation, and assured confidence in the wisdom, courage, and fidelity of Robert earl of Essex, chosen and appointed him captain-general of the forces raised by the authority of parliament, for the defence of the true protestant religion,

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the king, the parliament, and kingdom, now in great and apparent danger; do find, That the said earl hath managed this service, of so high importance, with so much care, valour, and dexterity; as well as by the extremest hazard of his life, in a bloody Battle, near Keynton, in Warwickshire, as, by all the actions of a most excellent and expert commander, in the whole course of this employment, as doth deserve their best acknowledgment. We do, therefore, declare and publish, to the lasting honour of the said earl, the great and acceptable service which he hath, herein, done to the common-wealth; and shall be ready and willing, upon all occasions, to express the due sense which we have of his merit, by assisting and protecting him, and all others employed under his command, in this service, with our lives and fortunes, to the uttermost of our power. This to remain, upon record, in both houses of parliament, as a mark of honour to his person, name, and family, and for a monument of his singular virtue, to posterity."

But the commons were of opinion, that the earl of Essex deserved more than an Address of Thanks; for they resolved, That 5000*l.* be forthwith presented to his excellency from that house.

The King's Answer to the Parliament's Petition for Peace.] Nov. 12. The earls of Northumberland and Pembroke reported to the lords, That they had waited on the king, yesterday, who, to save time, had returned a full Answer, by them, to their Petition:

The King's ANSWER to the PETITION.

"We take God to witness how deeply we are affected with the miseries of this kingdom, which, heretofore, we have strove, as much as in us lay, to prevent; it being sufficiently known to all the world, that as we were not the first that took up arms, so we have shewed our readiness of composing all things in a fair way, by our several offers of treaty; and shall be glad, now at length, to find any such inclination in others: the same tenderness to avoid the destruction of our subjects, whom we know to be our greatest strength, which would always make our greatest victories bitter to us, shall make us willingly hearken to such propositions whereby these bloody distempers may be stopped, and the great distractions of this kingdom settled, to God's glory, our honour, and the welfare and flourishing of our people; and, to that end, shall reside at our own castle at Windsor, if the forces there shall be removed, till committees may have time to attend us with the same; which, to prevent the inconveniences that will intervene, we wish may be hastened, and shall be ready there; or, if that be refused us, at any place where we shall be, to receive such propositions as aforesaid, from both houses of parliament. Do you your duty, we will not be wanting in ours: God of his mercy give a blessing."

After the reading of this Answer, it was resolved to communicate the contents of it to the commons. Then the Lord-General stood up and desired he might receive directions from the house how he should order his forces during the time of this Treaty: for, if he should advance his quarters towards the king, it might be thought an act of hostility; and, if he should omit any thing, then he might be looked upon as remiss. Thereupon the house resolved to write a Letter to the king's secretary, to know his majesty's pleasure concerning a Cessation of Arms, during the time of this Treaty; and gave the Lord-General directions to forbear doing any act of hostility while further orders. The commons having given their concurrence, a Letter was sent to the secretary in these words:

"My lord; I am commanded by the lords and commons, in parliament, to signify to your lordship, that, with much joy, they received his majesty's gracious Answer unto their Petition; expressing his pious inclinations unto Peace. They do resolve, with all diligence, to send their humble Propositions unto his majesty, and, likewise, their Answer concerning Windsor Castle; in the mean time, they desire to know his majesty's pleasure, how the armies shall govern themselves, and whether he does not resolve on a cessation of all acts of hostility, upon the overture of a cessation of peace. Your, &c. GREY."

The house of commons, however, did not wait for any Answer from the king; for this day, they agreed to send a message to the Lord-General, to desire him to proceed according to his best advantages, notwithstanding the foregoing Letter, sent to the king by sir Peter Killigrew, or any proceedings thereon; in regard the other side had begun to act hostilities since that Letter was agreed upon. The General answered, That he did not intend to be amused by Treaties; but, since they have begun the acts of hostility, to pursue and see what they would do.

A Petition and Proposals from the City of London to the Commons.] Nov. 13. The commons being informed, That several citizens were at the Door, who desired to offer something to their consideration, they were called in: and one Mr. Shute, a merchant, in the name of the rest, addressed the house in a speech, which appears to have been a long one, by the following heads of it taken and entered in the Commons Journals: "That they did acknowledge, with all thankfulness, the continued and unwearied care and pains of this house, for the preservation of the true protestant religion, the liberty of the people, and the privileges of parliament. They have presented a petition of ten particulars; to which they expect an Answer in convenient time. They speak in the language of many thousands: that they fear they are bought and sold.—These things they present: 1. That in a case of so much danger, and so great concernment, that there should be but one army to rely upon. 2. That in all this time, the

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king's strength lying in horse, that the city should not appear in a considerable body of horse.—Though it has been offered, and not effectually yet put in a way, they do now again offer it. 3. That Windsor Castle should not be provided for, as it ought. 4. That colonel Hollis's regiment, men of that courage, and so considerable, should be exposed to a place of so imminent danger, lying next to the enemy's forces, and almost naked. 5. The point of Accommodation is another reason of their grief.—They are come to this Resolution; That they will man out every man his man, and make their own captains and officers, and live and die with the house of commons, and in defence thereof: and if there be any in the lords house, that do any way retard or hinder this public defence, they wish they would declare themselves; and that they were with the king. 6. Another matter of their grief was That the Sabbath Day should be so long profaned by public authority; and the Book that enjoins it, not yet burnt by the hands of the common Hangman. They observe, that this day they have so profaned, has been the day of their ruin.* 7. The Bloodshed of the Martyrs, in queen Mary's days, done by public act of parliament, and no expiation as yet made for it. 8. The officers in the army (though they must always mention my Lord General with honour, as one in whom they absolutely confide) not so careful and diligent as they ought, nor all of them so trusty. 9. The numbers of the prisoners very great, and of dangerous condition; and the masters and keepers of those prisons not to be confided in. 10. The good ministers in time past silenced, and put out by the bishops.—You have our persons, purses, and estates, all at your command: you may do with us at your pleasure. We come in the name of the godly and active part of the city."

The citizens being withdrawn, the commons came to the following Resolutions: 1. "That the Book concerning injoining and tolerating of Sports upon the Sabbath day, be forthwith burnt by the hands of the common hangman, in the usual places. 2. That this house doth accept of this offer of the citizens, of furnishing horse and foot; and doth account it to be a service much importing the safety of the commonwealth; and doth return them public and hearty thanks."

The citizens being called in again, the Speaker, by the command of the house, told them, "They found, that what was said was expressed with a zealous and earnest care of the commonwealth; for which they return them public and hearty thanks. For the particular of horse and foot, they accept; and have appointed a particular committee to treat about it. The Book of Sports they have voted to be burnt by the hands of the common hangman."

* Alluding to the Battle of Edge-Hill, which was fought on a Sunday.

Mr. Shute having desired to speak again, said, "That the coming of the Lord General's Army into the city of London, and staying here so long as they did, is another thing troubles them; which they forgot to express before. Another thing is, That some present and more severe course might be taken with Malignants; and, amongst them, with the malignant ministers." And then the citizens withdrew.

The King's Message concerning his Marching to Brentford.] Nov. 14. A Letter from the King, directed to the Speaker of the house of lords, was read, commanding him to communicate the inclosed Paper to the house; the purport of which was this:

"Whereas the last night, being the 11th Nov. after the departure of the committee of both our houses, with our gracious Answer to their Petition, we received certain information (having till then heard nothing of it, either from the houses committee, or otherwise) that the earl of Essex had drawn his forces out of London towards us, which hath necessitated our sudden resolution to march with our forces to Brentford; we have thought fit hereby to signify to both our houses of parliament, that we are no less desirous of the peace of the kingdom, than we expressed in our aforesaid Answer, the Propositions for which we shall willingly receive, wherever we are; and desire, if it may be, to receive them at Brentford; this night, or early to-morrow morning, that all possible speed may be made in so good a work, and all inconveniences, otherwise likely to intervene, may be avoided."

The Citizens of London raise Light Horse and Dragoons: Mr. Skippon's Speech to them.] Nov. 15. The commons resolved to accept of an offer of the citizens of London, whereby they engaged to raise 1000 Light Horse and 3000 Dragoons, for the service of the parliament, to be commanded by the lord-general alone, and to be accountable to none but himself by the advice of both houses. They also recommended serjeant-major-general Skippon, who formerly had commanded the guard appointed to attend both houses, to command those horse and dragoons in chief under the lord-general; and col. Hurrey under Mr. Skippon. Whitlocke gives us the following Speech of the latter to his Soldiers; who, he says, were more taken with it than with a formal oration:

"Come my Boys, my brave Boys, let us pray heartily and fight heartily, I will run the same fortunes and hazards with you. Remember the cause is for God, and for the defence of yourselves, your wives, and children. Come my honest brave Boys, pray heartily and fight heartily, and God will bless us."

The Parliament's Answer to the King's last Message.] Nov. 16. The following Answer to the King's last Message, was read and agreed to by both houses:

"To your majesty's Message of the 12th Nov. we the lords and commons in parliament do make this humble answer, That this Mes-

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sage was not delivered to us till Monday the 14th. We thought it a strange introduction to peace, that your majesty should send your army to beat us out of our quarters at Brentford, and then appoint that place to receive our propositions; which yet it plainly appears your majesty intended not to receive, till you had first tried whether you could break through the army, raised for the defence of this kingdom and parliament; and take the city, being unprovided and secure in expectation of a fair treaty made to secure the city: if herein your majesty had prevailed, after you had destroyed the army and mastered the city, it is easy to imagine what a miserable peace we should have had; and whether those courses be suitable to the expressions your majesty is pleased to make, in your Answer to our Petition, of your earnestness to avoid any further effusion of blood, let God and the world judge. —As for our proceedings, they have, in all things, been answerable to all our professions: we gave directions to the earl of Essex to draw the army under his command, out of the city and suburbs, before we sent any Message to your majesty, so that part of it was quarted in Brentford before the committee returned with your Answer; and immediately upon the receipt thereof, that very morning, order was taken that the soldiers should exercise no acts of hostility against any of your majesty's people: we sent a Letter by sir Peter Killigrew to know your majesty's pleasure, whether you intended the like forbearance of hostility; but the fury of your soldiers, thirsting after blood and spoil, prevented the delivery of the letter; for coming, upon Saturday, in his way towards your majesty, as far as Brentford, he found them in fight there, and could pass no farther. God who sees our innocency, and that we have no aims but at his glory and the public good, will, we hope, free your maj. from these destructive counsels of some, who labour to maintain their own power by blood and rapine; and bless our endeavours, who seek nothing but to procure and establish the honour, peace, and safety of your majesty and kingdoms, upon the sure foundation of religion and justice."

The Parliament's Declaration on resolving to call in the Assistance of the Scots.] Nov. 18. A Declaration was sent up from the commons, whereby one Mr. Pickering was authorized and required to deliver the same to the council of state in that kingdom, and otherwise to publish it as he should see occasion; and that instructions be sent to him to solicit the effects of it. It was also ordered, That the said Declaration should be delivered to the Scots commissioners residing here. To all which the lords agreed, and is as follows:

"We the lords and commons assembled in the parliament of England, considering with what wisdom and public affection our Brethren of the kingdom of Scotland did concur with the endeavours of this parliament, and the desires of the whole kingdom, in procuring and establishing a firm peace and amity between the two nations; and how lovingly they have since invited us to a nearer and higher degree of union, in matters concerning religion and church government, which we have most willingly and affectionately embraced and intend to pursue, cannot doubt but they will, with as much forwardness and affection, concur with us in settling peace in this kingdom, and preserving it in their own; that so we may mutually reap the benefit of that amity and alliance, so happily made and strongly confirmed betwixt the two nations. Wherefore, as we did about a year since, in the first appearance of trouble then beginning amongst them, actually declare, That, in our sense and apprehension of the national alliance betwixt us, we were thereby bound to apply the authority of parliament and power of this kingdom to the preservation and maintenance of their peace: and seeing now that the troubles of this kingdom are grown to a greater height, and the subtle practices of the common enemy of the religion and liberty of both nations do appear with more evidence, strength, and danger than they did at that time: we hold it necessary to declare, That in our judgment, the same obligation lies upon our Brethren by the aforementioned act, with the power and force of that kingdom to assist us, in repressing those amongst us who are now in arms and make war, not only without consent of parliament, but even against the parliament, and for the destruction thereof.—Wherefore we have thought good to make known to our Brethren, that his majesty hath given commission to divers eminent and known Papists, to raise forces and compose an army in the North, and other parts of this kingdom; which is to join with divers foreign forces intended to be transported from beyond the seas, for the destruction of this parliament, and of the religion and liberty of the kingdom. And that the prelatical part of the clergy, and their adherents, have likewise invited his majesty to raise another army; which, in his person, he doth conduct against the parliament and the city of London, plundering and robbing sundry well-affected towns within their power: and that, in prosecution of their malice, they are so presumptuous and predominant of his majesty's resolutions, that they forbear not those outrages in places to which his majesty hath given his royal word and protection. A great cause and incentive of which malice proceeds from the design they have to hinder the reformation of ecclesiastical government in this kingdom, so much longed for by all true lovers of the protestant religion.—And hereupon we further desire our brethren of Scotland, to raise such forces as they shall judge sufficient for the securing the peace of their own borders, against the ill-affected persons there; as likewise to assist us in suppressing the army of Papists and foreigners, which, as we expect, will shortly be on foot here; and, if they be not timely prevented, may prove as mischievous and destructive to that kingdom as

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to ourselves.—And though we seek nothing from his majesty, that may diminish his just authority or honour; and have, by many humble Petitions, endeavoured to put an end to this unnatural war and combustion in the kingdom, and to procure his majesty's protection and security for our religion, liberty, and persons, according to that great trust which his majesty is bound to by the laws of the land; and shall still continue to renew our petitions in that kind: yet, to our great grief, we see the papistical and malignant counsel so prevalent with his majesty, and his person so engaged to their power, that we have little hope of better success of our Petitions than we formerly had; and are thereby necessitated to stand upon our just defence, and to seek this speedy and powerful assistance of our brethren of Scotland, according to that act agreed upon in the parliament of both kingdoms, the common duty of Christianity, and the particular interests of their own kingdom: to which we hope God will give such a blessing, that it may produce the preservation of religion; the honour, safety, and peace of his majesty, and all his subjects; and a more strict conjunction of the counsels, designs, and endeavours of both nations, for the comfort and relief of the reformed churches beyond the seas." John Brown, Cler. Parl. Hen. Elsynge, Cler Par. D. Com. Nov. 7. 1642.

The King's Answer, addressed to the Privy-Council of Scotland.] In Answer to the foregoing Declaration of Parliament, the king sent the following Message to the lords of his privy council of Scotland, some time after:

Right Trusty and Right Well-beloved Cousins and Counsellors, and Right Trusty and Well-beloved Counsellors, we greet you well;

"We have lately seen a Paper, presented to us by the earl of Lindsay, as a Declaration of the lords and commons assembled in the parliament of England, of the 7th of November, to our subjects of our kingdom of Scotland; which, after many high taxes of us and our government, very earnestly invites, and in a manner challenges, assistance from that our native kingdom, of men and arms for making a war against us; making a claim to that assistance, by virtue of the late act of Pacification, to the which (out of our desire to make a perpetual union between our two kingdoms, for the happiness of both, and by it the more firmly to establish our own greatness and just power) we chearfully consented.—As we are at our soul afflicted that it hath been in the power of any factious, ambitious, and malicious persons, so far to possess the hearts of many of our subjects of England, as to raise this miserable distemper and distraction in this kingdom against all our real actions and endeavours to the contrary; so we are glad that this rage and fury hath so far transported them, that they apply themselves, in so gross a manner, to our subjects of Scotland; whose experience of our religion, justice, and love of our people, will not suffer them to believe those horrid scandals laid upon us; and their affection, loyalty, and jealousy of our honour, will disdain to be made instruments to oppress their native sovereign, by assisting an odious rebellion.—We have, from time to time, acquainted our subjects of that kingdom with the accidents and circumstances which have disquieted this; how (after all the acts of justice, grace, and favour performed on our part, which were, or could be, desired to make a people completely happy) we were driven, by the force and violence of rude and tumultuous assemblies, from our city of London, and our two houses of parliament: how attempts have been made to impose laws upon our subjects without our consent, contrary to the foundation and constitution, of this kingdom: how our forts, goods, and navy were seized and taken from us by force, and employed against us: our revenue and ordinary subsistence wrested from us: how we have been pursued with scandalous and reproachful language; bold, false, and seditious pasquils and libels publickly allowed against us; and been told, 'That we might, without want of modesty and duty, be deposed.'—Now, after all this, before any force was raised by us, an army was raised, and a general appointed to lead that army against us; with a commission to kill, slay, and destroy all such who should be faithful to us. That when we had been, by these means, compelled, with the assistance of our good subjects, to raise an army for our necessary defence; we sent divers gracious Messages, earnestly desiring that the calamities and miseries of a civil war might be prevented by a treaty, and so we might know the ground of this misunderstanding. How we were absolutely refused to be treated with; and how at last the army (raised, as was pretended, for the defence of our person) was brought into the field against us, gave us battle; and (though it pleased God to give us the victory) destroyed many of our good subjects, with as imminent danger to our own person and our children, as the skill and malice of desperate rebels could contrive. Of all which, and the other indignities which have been offered us, we doubt not the duty and affection of our Scots subjects will have so just a resentment, that they will express to the world the sense they have of our sufferings. And our good subjects of Scotland are not, we hope, so great strangers to the affairs of this kingdom, to believe that this misfortune and distraction is begot and brought upon us by our two houses of parliament; though, in truth, no unwarrantable action against the law can be justified even by that authority. They well know how the members of both houses have been driven thence, in so much that of above 500 members of the house of commons, there are not now there above 80, and of above 100 of the house of peers not above 15 or 16. All which are so awed by the multitude of Anabaptists, Brownists and other persons, desperate and decayed in their fortunes, in and about the city of London, that, in truth, their consultations have no

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the freedom and privilege which belongs to parliaments.—Concerning any Commissions granted by us to Papists to raise forces, we must refer our good subjects to a Declaration, lately set forth by us upon the occasion of that scandal, which we send together with this; and for our own true and zealous affection to the protestant religion, (the advancement whereof our soul desires) we can give no other instance, than our constant practice, on which malice itself can lay no blemish, and those many Protestations we have made in the sight of Almighty God; to whom we know we shall be dearly accountable, if we fail in the observation.—For that scandalous imputation of our intention of bringing in foreign forces; as the same is raised without the least colour or shadow of reason, and solemnly disavowed by us in many of our Declarations, so there cannot be a clearer argument to our subjects of Scotland, that we have no such thought, than that we have hitherto forborne to require the assistance of that our native kingdom; from whose obedience, duty, and affection we should confidently expect it, if we thought our own strength here too weak to preserve us; and of whose courage and loyalty we shall look to make use, before we shall think of any foreign aid to succour us. And we know no reasonable or understanding man can suppose our good subjects of Scotland are obliged, or enabled by the late act of parliament in both kingdoms, to obey the invitation which is made to them by this pretended Declaration; when it is so evidently provided for by that act, 'That as the kingdom of England shall not make war against the kingdom of Scotland, without consent of the parliament of England; so the kingdom of Scotland shall not make war against the kingdom of England, without the consent of the parliament of Scotland;' and when they have always declared themselves so careful of our honour, safety, and just rights, which now undergo so great violation.—This we have thought fit to say upon occasion of this late Declaration, and do commend it to you the lords of our privy-council of our kingdom of Scotland, to be communicated and published to all our loving subjects there: and if the grave counsel and advice, which you derived hither by your act of the 22d of April last had been followed here, in a tender care of our royal person, and of our princely greatness and authority, then would not this face of confusion have appeared, which now threatens this kingdom: and therefore we require you to use your utmost endeavours to inform our subjects of that our kingdom of the truth of our condition; and that you suffer not the scandals and imputations laid on us by the malice and treason of some men, to make any impression in the minds of our people, to the lessening or corrupting their affection and loyalty to us; but that you assure them the hardships we now undergo, and the arms we have been compelled to take up, are for the defence of our person, and the safety of our life; for the maintenance of the true Protestant religion; for the preservation of the laws, liberties, and constitutions of this kingdom; and for the just privileges of parliament; and we look no longer for the blessing of Heaven, than we endeavour the defence and advancement of all these: and we doubt not a dutiful concurrence in our subjects of Scotland, in the care of our honours and just rights, will draw down a blessing upon that nation too."

The King's Reply to the Parliament's last Answer.] Nov. 9. A Letter was read, directed to the lord Grey of Werk, as Speaker, from the lord Falkland, with his majesty's Reply, inclosed, to the Answer of both houses to his majesty's Messageof the 12th instant, which was also read as follows:

"That his Message of the 12th, though not received by them till the 14th, was sent to them, first, upon the same day on which it was dated; and, meeting with stops by the way, was again sent upon the 13th, and taken upon that day, at ten in the morning, by the earl of Essex; and, though not to him directed, was by him opened; so the slowness of the delivery is not so strange, as the stop of that letter said to be sent by sir Peter Killigrew, which his majesty hath not yet received; but concludes, from the matter expressed to have been contained in that letter, (to wit, to know his pleasure, whether he intended the forbearance of hostility) and by the command of such forbearance, said to be sent to the lord of Essex's army, that no such forbearance was already concluded; and, consequently, neither had his majesty cause to suppose that he should take any of their forces unprovided and secure, in an expectation of a fair treaty; neither could any hostile act of his majesty's forces have been a course unsuitable to his expressions; much less could an endeavour to prepossess that place, (for so he hoped he might have done, which might have stopped the further march of these forces towards him; which, for ought appeared to him, might as well have been intended to Colebrook as Brentford; and, by that, the further effusion of blood) deserve that style.—His majesty further conceives, That the printing, so out of time, such a Declaration as their Reply to his Answer to theirs of the 26th of May, but the day before they voted the delivery of their Petition; and the march of the earl of Essex's forces to Brentford, so near to his majesty, when the committee at the same time attended him with a Petition for a treaty, (the earl of Essex being before possessed of all the other avenues to his army, by his forces at Windsor, Acton, and Kingston) was a more strange introduction to peace, than for his maj. not to suffer himself to be cooped up on all sides, because a treaty had been mentioned; which was so really and so much desired by his maj. that this proceeding seems to him, purposely, by some intended to divert, which it could not do, that his inclination.—That his majesty had no intention to master the city by so advancing, besides his profession, which how meanly so-

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ever they seem to value it, he conceives a sufficient argument, especially being only opposed by suspicions and surmises, may appear by his not pursuing his victory at Brentford: but giving order to his army to march away to Kingston as soon as he heard that place was quitted, before any notice or further appearance of forces from London; nor could he find a better way to satisfy them before-hand, that he had no such intention, but that his desire of peace and of propositions that might conduce to it still continued, than by that Message of the 12th; for which care of his he was requited by such a reception of his Message and messenger, as was contrary at once both to duty, civility, and the very customs and the law of war and nations; and such as theirs, though after this provocation, have not found from him.*—His majesty wonders that his soldiers should be charged with thirsting after blood, who took above 500 prisoners in the very heat of the fight, his majesty having since dismissed all the common soldiers, and entertained such as were willing to serve him, and required only from the rest an oath not to serve against him. And his majesty supposes such most apt and likely to maintain their power by blood and rapine, who have got it only by oppression and injustice; that his is vested in him by the law, and by that only (if the destructive counsels of others would not hinder such a peace, in which that might once again be the universal rule, and in which religion and justice can only flourish) he desires to maintain it. And if peace were equally desired by them, as it is by his majesty, he conceives it would have been proper to have sent him such a Paper, as should have contained just propositions of peace, and not an unjust accusation of his counsels, proceedings, and person. And his majesty intends to march to such a distance from his city of London, as may take away all pretence of apprehension from his army, that might hinder them, in all security, from yet preparing them to present to him; and will there be ready either to receive them, or end the pressures and miseries which his subjects, to his great grief, suffer through this war, by a present battle."

When this was read, the earl of Northumberland informed the house, That he had received a packet of letters, taken about Mr. Murray, who brought this Reply from the king; and desired to be directed what to do with them. Hereupon the lords opened and perused the papers, and found a copy of the Reply, with a Declaration of his majesty, and a warrant sent to the king's printer to print them. Upon which a conference was resolved on with the other house, to desire them to join in appointing a committee, to consider what Answer was fit to be given to this Reply of the king's; it being a business of so great consequence, that either a great deal of misery or a great deal of happiness would follow upon the resolution to be taken thereupon.

Farther Proposals from the Citizens of London.] Nov. 21. Mr. Shute, at the head of several citizens of London, appeared again before the commons. What he had to offer stands thus upon their Journals, "That he came to speak to them from the most active and the most religious part of the city, to acquaint the house they understood that an Accommodation was on foot; which grieved their hearts, considering what followed on the last. But if the Accommodation went not on, then to consider how monies might be raised, in such sort as that the whole charge might not lie upon the good and Godly party; but that the Malignant party might be forced to bear their share, fully, according to their abilities. Another thing which troubled them was an imputation cast upon the Godly party of the city, by the Malignant party, as if they desired an independent government should be set up in the church, which they desired might be wiped off."—After returning thanks to the citizens, the king's last Message was read; and the question being put, Whether the house would, forthwith, resolve itself into a committee to take it into consideration? it passed in the affirmative, by 75 against 65; when, after some debate on the Messago, the question being again put, Whether the house should be resolved into a committee to-morrow morning to resume this debate? The house divided, when the numbers were 67 for the question and 66 against it.

Nov. 22. The commons being informed, That divers citizens were at the door, they were called in, and Mr. Shute, once more, told them, in the name of the rest, "That one thing, which exceedingly troubled them, was, the point of Accommodation of Peace, more to be feared than their power. If the Accommodation proceeded not, monies then to be raised. They would propound three ways: 1. Concerning plate in the halls of London. 2. Subscriptions in the several wards underwritten, not yet brought in. 3. Weekly subscriptions to be advanced. The means for saving of monies: 1. To cut off superfluous charges by unnecessary officers in the army. 2. That there may be due musters. 3. Indifferent honest men to be chosen in every ward, to raise and advance the subscriptions. Foreign merchants to be brought in, to give their assistance to the public."—Then they withdrew. And being again called in, Mr. Speaker, by command of the house, returned them thanks, as before.

Petition of both Houses, in Answer to the King's last Reply.] Nov. 23. A report was made to the lords of a conference held yesterday; in which Mr. Pym said, he was appointed by the commons to acquaint their lordships with some Votes passed by that house, in An-

* "Mr. White, the king's messenger, was very roughly used by the earl of Essex, and the parliament committed him to the Gate-house, not without the motion of some men, That he might be executed as a spy." Clarendon.

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swer to the king's Reply, to which they desired the lords concurrence. These were divided into two parts: "1. That, in the Answer to his majesty's Message, the houses should desire the king to return to his parliament; to the end that religion, laws, and liberties may be secured by the advice of parliament; that the process and justice of parliament, being the supreme court of judicature, might have its free course, and be executed on delinquents; and that they might not be protected and kept from justice by force. In particular, that the lord Digby and Mr. Henry Wilmot, be, presently, delivered over to the justice of parliament. That the commons remember what misfortune lately befel the two regiments, at Brentford, upon the last Treaty; therefore they now think fit to declare, That both armies shall be left to take all advantage they can, on both sides, in the mean time. 2. Concerning the Challenge; the commons say, They think it strange that the king of England should send a challenge and invitation to a battle with his own subjects, seeing, heretofore, his majesty seemed to decline the effusion of blood, and professed using all means to prevent the same: therefore the commons resolve to be in readiness; but if his majesty will withdraw himself from his cavaliers and the army, he shall be received; if not, they will not decline, if he has a mind to give a batt e, the time and place being first appointed. These are the Heads the commons have resolved on; which, if their lordships should concur with, they desired that committees of both houses might be appointed to put them into a form fit to be sent to his majesty."

This report being made, the lords ordered, That the consideration of this matter should be put to a committee of their whole house then present; and immediately the house was adjourned during pleasure, the lords going into the Prince's Lodgings to debate it. And, in the afternoon, the earl of Holland, one of the committee, delivered in a draught of a Petition, to be presented to the king, in which they thought fit to leave out the whole relating to the Challenge, and only to send the following:

"May it please your majesty; It is humbly desired by both houses of parliament, That your majesty would be pleased to return to your parliament with your royal, not your martial, attendants: to the end that religion, laws, and liberties, may be settled and secured by their advice; finding, by a late and sad accident, that your majesty is invironed by some such counsels, as do rather persuade a desperate division, than a joining and a good agreement with your parliament and people; and we shall be ready to give your majesty assurances of such security, as may be for your honour and the safety of your royal person. Or else we shall, in convenient time, consider of fit Propositions to be sent to your majesty, such as may be for the preservation of God's true religion, your majesty's honour, safety, and prosperity, and to the peace and happiness of this and your other kingdoms."

The lords agreed to this Petition, and ordered it to be sent down to be communicated to the commons at another conference.—Next day a report of this conference was made in the lords, That the commons said they differed somewhat in opinion, about the conference last night, on the last Petition intended to be sent to his majesty. That they agreed to the first; but had resolved, That the latter part, beginning with the words, 'or else, &c.' should be left out. To this the lords consented; and also to another vote of that house, to send to the lord-general, the earl of Essex, to desire him to go on, notwithstanding, with all advantages, in prosecuting the war. Accordingly, the former part of the Petition was sent in a letter to the lord Falkland, to be by him presented to the king.

Nov. 24. The question being propounded in the commons, Whether Mr. Jessy, the king's servant, should have Mr. Speaker's warrant to go to the king, to carry him stockings, and other necessaries; it passed in the affirmative by 86 against 18, but this on condition of Mr. Wheeler's undertaking, that Mr. Jessy should carry nothing else.

Speeches of the Earl of Manchester and Mr. Pym to the Citizens of London, on proposing an Assessment.] Nov. 25. An order had been made, the day before, for sending to the lord mayor to call a Common Hall, and this day a committee of five lords, with a proportionable number of commoners, were appointed to go thither. At this meeting the earl of Manchester,* one of the committee, and Mr. Pym another, were the mouths of the rest; whose speeches will best explain the errand they were sent upon.† And first,

The Earl of *Manchester* said:—"My lord mayor and gentlemen; I am commanded to come hither upon an errand, that I know, in the general, is never pleasing; which is, to express wants and necessities; but I know very well to whom I speak, it is to the worthy, the generous, and the loyal citizens of London; who have exceeded all story, in their care for the life and preservation both of the parliament and the whole kingdom; therefore it would imply a distrust of your present care to make a supply, if I should use any arguments to you: I shall only say this, That if there be not an enlargement of yourselves in some measure at the present, I shall be very unwilling to express the condition that I fear our army will be reduced to: this is all that I shall say, that if there be a present supply, I do not doubt but the army will move with that effect, as it will prevent all those barbarous and

* Formerly spoken of under the title of lord Kimbolton; but, about this time, he succeeded to the earldom of Manchester by the death of his father.

† London, printed for Peter Cole, near the Royal Exchange, 1642.

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savage plunderings of the forces that are now under the command of those officers of the king. I confess the burthen hath lain very heavy upon the city of London only; but you shall have the grace and the honour of the preservation both of religion and the laws and liberties of this kingdom.—This gentleman, that is by me, will let you know that it is already in proposition, and I do not doubt but it will speed ly have the concurrence of the lords with it) to take that care, that the future burthen shall not lie upon those here in the city of London, that have been careful to make supplies, even to the exhausting of themselves; but that it shall go generally to all those that have shrouded themselves under a kind of neutrality here in London; and that it shall go generally throughout all the counties of England; that so the common calamities shall be prevented, or supported by the common burden laid upon the whole kingdom."

Then Mr. *Pym* spoke to this effect:—"My lord mayor and gentlemen; We come not to tell your lordship and these worthy citizens only our wants and dangers, but we come to speak the thanks of the parliament to you, for that which you have already done; that you have shewed so much affection to the public, and that it hath produced so good effects throughout the whole kingdom, as that now you have an army raised, most out of this city, able to defend (with God's blessing) the religion and liberty of the kingdom, if it may be upheld: and we come not only to give you thanks for that which you have done, but to stir you up to join with us in giving thanks to God that hath given such a blessing to our endeavours, that when, by letters sent into all parts almost, they did presume before-hand to triumph in the ruin and plundering of this city, God prevented it, and hath kept you safe; kept your houses, your walls, your suburbs safe from that that was intended against you; and truly as we have sought for this blessing, by fasting and by prayer, so it is fit that we should testify our thanksgiving for it, and this is a necessary part of our errand which we are sent about: and that we may be serviceable to God's providence still, as he hath stirred up your hearts to do so much already, so that he would stir you up still to continue to do that which is fit to be done for the future; and that you will do it in such a way as may be most pleasing to yourselves.—We come not hither that, by any consent here in public, you should bind yourselves in particular; but we come to let you know the dangers of the kingdom, the sense the parliament hath of it, and of the city especially, that you may not lose that which hath been already done; but that you may go on still chearfully to do the full work. And we come to tell you, that the parliament doth intend the burden shall not lie upon you that are well affected and come in voluntarily; but that they have thought upon a way, and have begun it already, and I hope, within 2 or 3 days at the most, it shall be published to you, that all that are indisposed shall be forced to do that, which, out of readiness and chearfulness to the public good, they will not do of themselves: neither limit we it to the city and suburbs; but we are in a course to draw in all the counties of the kingdom, that as the burden is universal, so the aid may be universal; for this is the thoughts of the parliament.—If it please God to bless your forces that are already raised and continued, we hope you shall not only see peace again in the kingdom, and security for your religion, but see that the burden shall lie upon those who have been the engines and actors of the mischiefs and troubles that are come upon us, that they shall recompence the charges you have been at already.—This is the intention of the parliament, only for the present do somewhat; every man, as God shall enable him, do somewhat that may meet the present necessities: and prevent the dangers that require a present subsistance, and present supply of the army; without which what is it will follow, but the danger of the city, the ruin of the countries about, the stopping up of the river which is almost taken from you, and the loss of the sea coasts? You cannot have better hearts than you have; God hath enabled many of you with purses, I hope it will be so readily disposed that we shall have a full joy in the recompence of it, and the retribution; which we shall all pray God to bring to pass."

The result of this was, that the citizens desired a committee of both houses might be sent to them, with a power to call some citizens and others to their assistance, and then they hoped this request of parliament would prove successful.

An Ordinance passed, for Assessing Non-Contributors to the Parliament's Army.] The want of money to carry on the war being now so very urgent, the following Ordinance was sent up this day from the commons, for Assessing Non-Contributors upon the Propositions for lending Money and raising of horse and arms:

"Whereas the king, seduced by wicked counsel, hath raised an army, and levied war against the parliament, and great numbers of forces are daily raised under the command of papists, and other ill-affected persons, by commission from his majesty: and whereas divers delinquents are protected from public justice by his majesty's army; and sundry outrages and rapines are daily committed by the soldiers of the said army, who have no respect to the laws of God or the land, but burn and plunder the houses, and seize and destroy the persons of divers of his majesty's good subjects: and whereas, for the maintenance of the said army, divers assessments are made upon several counties, and his majesty's subjects are compelled by the soldiers to pay the same; which said army, if it should continue, would soon ruin and waste the whole kingdom, and overthrow religion, law, and liberty: for suppressing of which said army and ill-affected

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persons, there is no probable way, under God, but by the army raised by authority of parliament; which said army so raised cannot be maintained without great sums of money; yet for raising such sums, by reason of his majesty's withdrawing himself from the advice of the parliament, there can be no act of parliament passed with his majesty's assent, albeit there is great justice that the said money should be raised; the lords and commons in parliament having taken the same into their serious considerations, and knowing that the said army, so raised by them, hath been hitherto, for the most, maintained by the voluntary contributions of divers well-affected persons, who have freely contributed according to their abilities:—But considering there are divers others within the cities of London and Westminster, and the suburbs of the same, and also within the borough of Southwark, that have not contributed at all towards the maintenance of the said army; or if they have, yet not answerable to their estates, who, notwithstanding, receive benefit and protection by the said army, as well as others; and therefore it is most just that they should, as well as others, be charged to contribute to the maintenance thereof: Be it therefore ordained by the lords and commons in parliament assembled, and by authority thereof, That Isaac Pennington, lord mayor of London, sir John Woolaston, knight and alderman, aldermen Towes, Warner, Andrews, Chambers, and Fowke, Sir Tho. Soame, knight and alderman; Samuel Vassal, John Ven, Morris Thompson, and Rd. Warring, citizens, or any 4 of them, shall hereby have power and authority to nominate and appoint, in every ward within the city of London, 6 such persons as they or any 4 of them, shall think fit; which said 6 so nominated, or any 4 of them, shall hereby have power to enquire of any that shall remain, or be within the said several wards, that have not contributed upon the Propositions of both houses of parliament, concerning the raising of Money, Plate, Horse, Horsemen, and Arms, for defence of the king and both houses of parliament, and, also of such as are able men, that have contributed, yet not according to their estates and abilities.—And the said 6 persons so nominated, or any 4 of them, within their several and respective wards and limits, shall have power to assess such person and persons, as are of ability and have not contributed, and also such as have contributed, yet not according to their ability, to pay such sum or sums of money, according to their estates, as the said assessors, or any four of them, shall think fit and reasonable, so as the same exceed not the 20th part of their estates, and to nominate and appoint fit persons for the collection thereof.—And if any person so assessed shall refuse to pay the money assessed upon him, it shall be lawful to and for the said assessors and collectors, or any of them, to levy the said sum so assessed by way of distress and sale of the goods of the person so assessed, and refusing.—And if any person so distrained shall make resistance, it shall be lawful to and for the respective assessors and collectors, or any of them, to call to their assistance any of the Trained Bands of the said city of London, or any other his majesty's subjects, who are hereby required to be aiding and assisting to the said assessors and collectors in the premises.—And it is hereby further ordained, That the respective burgesses of Westminster and Southwark, together with the several committees appointed for the subscriptions of Money, Plate, Horse, Horse-Men, and Arms within the said city and borough, shall respectively have power hereby to nominate assessors for the same city and borough, in such manner as the lord mayor, &c. hath for the city of London; and the said assessors, or any 4 of them, to name collectors as aforesaid; which said assessors and collectors shall have the same power respectively, within their respective limits, as those to be nominated within the said city of London have hereby limited to them.—And for the suburbs of London and Westminster, the respective knights of the shire where the said suburbs are, shall have hereby the like power to name assessors; and they so named, or any 4 of them, and the collectors by them to be nominated, or any of them within their respective limits, shall have the like power respectively, as the assessors and collectors for London have by virtue of this Ordinance.—And be it ordained, That the sums so assessed and levied as aforesaid, shall be paid in at Guildhall, London, to the hands of sir John Woolaston, John Warner, John Towes, and Tho. Andrews, aldermen, or any two of them; and the assessors and collectors, to be nominated by virtue hereof, shall weekly report to the committee of the house of commons for the Propositions aforesaid, what sums of money have been assessed and what sums have been levied weekly, according to the purport hereof; and the said monies so levied and paid in, shall be issued forth in such sort, as the other monies raised upon the Propositions aforesaid, and not otherwise."

In consequence of this Ordinance the parliament proceeded to raise money by an assessment: but meeting with some difficulties in the collection thereof, they made another Ordinance to explain the first; whereby it was ordained, That if the collectors could not find sufficient assets to distrain upon the refusers, they had power to enquire what rents, tithes or debts were owing to them, and to demand the same of their respective tenants or debtors. This was followed by a third Ordinance, for the speedy execution of the first. Soon after came out another, impowering the collectors to break open any chests, trunks, boxes, doors, or other things, whereby to take a distress for the sums assessed. But all these not answering the urgent necessities of the parliament a fourth Ordinance was made; whereby, in such cases where the collectors should certify that a sufficient distress was to be had, but they could not come at it without opposition, two colonels and three captains, named in the said Ordi-

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nance, and such captains, lieutenants, officers, and soldiers as they should appoint, were authorized to search for the refusers of such assessment; and bring them before the committee of the house of commons for examinations, who had power given them, by this last Ordinance, to imprison the refusers in such places of the kingdom, and for so long time, as they should appoint and order; and that the families of all such persons, so imprisoned, should no longer remain within the cities of London and Westminster, the suburbs, and the counties adjacent. But at the same time that the parliament took such effectual care to raise this assessment upon the subjects at large, they made an Ordinance, That the several and respective assessors shall not assess any of the members of either of the houses of parliament, or the assistants of the house of peers; any thing in the preceding Ordinances, or any of them, to the contrary notwithstanding: but that the members of either house shall be assessed by that house whereof they are members, and the assistants of the peers by the house of peers.* This last Ordinance, however, for impowering the members to tax themselves, was carried in the house of commons by a majority of only 43 voices against 40.

The King's Answer to the said Ordinances.] In consequence of these Ordinances the king published the following Declaration, addressed to all his loving subjects:

"It would not be believed (at least great pains have been taken that it might not) that the pretended Ordinance of the Militia, (the first attempt that ever was to make a law by Ordinance without our consent) or the keeping us out of Hull, and taking our arms and munition from us, could any way concern the interest, property, or liberty of the subject; and it was confessed by that desperate Declaration itself of the 26th of May, 'That if they were found guilty of that charge of destroying the title and interest of our subjects to their lands and goods, it were indeed a very great crime.' But it was a strange fatal lethargy which had seized our good people, and kept them from discerning, that the nobility, gentry, and commonalty of England, were not only stripped of their pre-eminences and privileges, but of their liberties and estates, when our just rights were denied us; and that no subject could, from thenceforth, expect to do well at home, when we were driven from our houses and our towns. —It was not possible that a commission could be granted to the earl of Essex, to raise an army against us; and, for the safety of our person and preservation of the peace of the kingdom, to pursue, kill, and slay us, and all who wish well to us; but that in a short time, inferior commanders, by the same authority, would require our good subjects, for the maintenance of the property of the subject, to supply them with such sums of money as they think fit, upon the penalty of 'being plundered with all extremity of war;' as the style of sir Edw. Baynton's warrant runs against our poor subjects in Wiltshire) and by such rules of unlimited arbitrary power, as are inconsistent with the least pretence or shadow of that property it would seem to defend.—If there could be yet any understanding so unskilful and supine to believe, that these disturbers of the public peace do intend any thing but a general confusion, they have brought them a sad argument to their own doors to convince them: after this Ordinance and Declaration it is not in any sober man's power to believe himself worth any thing, or that there is such a thing as law, liberty, or property left in England, under the jurisdiction of these men; and the same power that robs them now of the 20th part of their estates, hath, by that, but made a claim, and intitled itself to the other 19, when it shall be thought fit to hasten the general ruin.—Sure, if the minds of all men be not stubbornly prepared for servitude, they will look on this Ordinance, as the greatest prodigy of arbitrary power and tyranny that any age hath brought forth in any kingdom: other grievances, and the greatest, have been conceived intolerable, rather by the logic and consequence, than by the pressure itself; this, at once, sweeps away all that the wisdom and justice of parliaments have provided for them. Is their property in their estates, (so carefully looked to by their ancestors, and so amply established by us against any possibility of invasion from the crown) which makes the meanest subject as much a lord of his own, as the greatest peer, to be valued or considered? Here is a 20th part of every man's estate (or so much more as four men will please to call the 20th part) taken away at once; and yet a power left to take a 20th still of that which remains; and this to be levied by such circumstances of severity, as no act of parliament ever consented to. Is their liberty, which distinguishes subjects from slaves, and in which this free-born nation hath the advantage of all Christendom, dear to them? They shall not only be imprisoned in such places of this kingdom, (a latitude of judgment no court can challenge to itself in any cases) but for so long time as the committee of the house of commons for examination shall appoint and order; the house of commons itself having never assumed, or, in the least degree, pretended to a power of judicature; having no more authority to administer an oath, (the only way to discover and find out the truth of facts) than to cut off the heads of any of our subjects; and this committee, being so far from being a part of the parliament, that it is destructive to the whole, by usurping to itself all the power of king, lords, and commons.—All who know any thing of parliaments, know that a committee of either house ought not, by the law, to publish their own results; neither are their conclusions of any force without the confirmation of the house, which hath the same

* The above-mentioned Ordinances may be seen at length in Husband's Collections, from p. 766, to p. 777.

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power of controlling them, as if the matter had never been debated: but that any committee should be so contracted (as this of examination, a style no committee ever bore before this parliament) as to exclude the members of the house, who are equally trusted by their country, from being present at their counsels, is so monstrous to the privileges of parliament, that it is no more in the power of any man to give up that freedom, than of himself to order, that, from that time, the place for which he serves shall never more send a knight or burgess to the parliament; and, in truth, is no less than to alter the whole frame of government, to pull up parliaments by the roots, and to commit the lives, liberties, and estates of all the people of England, to the arbitrary power of a few unqualified persons; who shall dispose thereof according to their discretion, without account to any rule or authority whatsoever. —Are their friends, their wives and children (the greatest blessings of peace, and comforts of life) precious to them? Would their penury and imprisonment be less grievous by those cordials? They shall be divorced from them, banished, and shall no longer remain within the cities of London and Westminster, the suburbs and the counties adjacent: and how far those adjacent counties shall extend no man knows.—Is there any thing now left to enjoy but the liberty to rebel, and destroy one another? Are the outward blessings only of peace, property, and liberty, taken and forced from our subjects? Are their consciences free and unassaulted by the violence of these firebrands? Sure the liberty and freedom of conscience cannot suffer by these men. Alas! all these punishments are imposed upon them, because they will not submit to actions contrary to their natural loyalty, to their oaths of allegiance and supremacy, and to their late voluntary Protestation, which obliges them to the care of our person, and our just rights.—How many persons of honour, quality and reputation, of the several counties of England, are now imprisoned without any objections against them, but suspicion of their loyalty? How many of the gravest and most substantial citizens of London, by whom the government and discipline of that city was preserved, are disgraced, robbed, and imprisoned, without any process of law, or colour of accusation, but of obedience to the law and government of the kingdom; whilst Anabaptists and Brownists, with the assistance of vitious and debauched persons of desperate fortunes, take upon them to break up and rifle houses, as public and avowed ministers of a new invented authority? How many godly, pious, and painful divines, whose lives and learning hath made them of reverend estimation, are now slandered with inclination to popery: discountenanced and imprisoned, for discharging their consciences, instructing the people in the Christian duties of religion, and obedience; whilst schismatical, illiterate, and scandalous preachers fill the pulpits and churches with blasphemy, irreverence, and treason, and incite their auditory to nothing but murder and rebellion?—We pass over the vulgar chafm, by which they have captivated such who have been contented to dispense with their consciences for the preservation of their estates; and by which they persuade men, chearfully, to part with this twentieth part of their estates to the good work in hand; for whoever will give what he hath, may escape robbing: They shall be repaid upon the public faith, as all other monies lent upon the Propositions of both houses.' It may be so; but men must be condemned to a strange unthriftiness who will lend upon such security. The public faith indeed is as great an earnest as the state can give, and engages the honour, reputation, and honesty of the nation, and is the act of the kingdom; it is the security of the king, the lords, and commons, which can never need an executor, can never die, never be bankrupt; and therefore we willingly consented to it for the indemnity of our good subjects of Scotland (who we hope will not think the worse of it, for being so often and so cheaply mentioned since); but that a Vote of one or both houses should be an engagement upon the public faith, is as impossible as that the committee of the house of commons for examinations should be the high court of parliament.—And what is or can be said, with the least shadow of reason, to justify these extravagancies? We have not lately heard of the old fundamental laws which used to warrant the innovations; this needs a refuge even below those foundations. They will say, They cannot manage their great undertakings without such extraordinary ways. We think so too; but that proves only they have undertaken somewhat they ought not to undertake: not that it is lawful for them to do any thing that is convenient for those ends.—We remembered them long ago, and we cannot do it too often, of that excellent speech of Mr. Pym: The law is that which puts a difference betwixt good and evil, betwixt just and unjust; if you take away the law, all things will fall into confusion, every man will become a law unto himself; which in the depraved condition of human nature, must needs produce many great enormities; lust will become a law, and envy will become a law; covetousness and ambition will become laws; and what dictates, what decisions, such laws will produce, may easily be discerned.' It may indeed, by the sad instances over the whole kingdom: but will posterity believe, that, in the same parliament, this doctrine was avowed with that acclamation, and these instances after produced? That, in the same parliament, such care was taken that no man should be committed, in what case soever, without the cause of his imprisonment expressed, and that all men should be immediately bailed, in all cases bailable: and, during the same parliament, that alderman Pennington, or indeed any body else but the sworn ministers of justice, should imprison whom they would, and for what they would, and for

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as long a time as they would? That the king should be reproached with breach of privilege for accusing sir John Hotham of high treason, when, with force of arms, he kept him out of Hull, and despised him to his face; because in no case, a member of either house might be committed or accused, without leave of that house of which he is a member: and yet that, during the same parliament, the same alderman should commit the earl of Middlesex, a peer of the realm, and the lord Buckhurst, a member of the house of commons, to the Counter, without reprehension? That to be a traitor (which is defined, and every man understands) should be no crime; and to be called a Malignant (which nobody knows the meaning of) should be ground enough for close imprisonment? That a law should be made, That whosoever should presume to take Tunnage and Poundage, without an act of parliament, should incur the penalty of a premunire; and, in the same parliament, that the same imposition should be laid upon our subjects, and taken by an Order of both houses, without and against our consent? Lastly, That in the same parl. a law should be made to declare the proceedings and judgment upon Ship-Money to be illegal and void; and during that parliament, that an Order of both houses shall, upon pretence of necessity, enable four men to take away the 20th part of their estates from all their neighbours, according to their discretion. —But our good subjects will no longer look upon these and the like results, as upon the counsels and conclusions of both our houses of parliament, though all the world knows even that authority can never justify things unwarrantable by law; they well know how few of the persons trusted by them are present at their consultations; of above 500, not 80; and of the house of peers, not above a fifth part; that they who are present enjoy not the privilege and freedom of parliament; but are besieged by an army, and awed by the same tumults, which drove us and their fellow-members from thence, to consent to what some few seditious, schismatical persons amongst them do propose.—These are the men who, joining with the Anabaptists and Brownists of London, first changed the government and discipline of that city; and now, by the pride and power of that city, would undo the kingdom, whilst their lord mayor (a person accused and known to be guilty of high treason) by a new legislative power of his own, suppresses and reviles the Book of Common-Prayer, robs and imprisons whom he thinks fit, and, with the rabble of his faction, gives laws to both houses of parliament; and tells them they will have no accommodation: whilst the members, sent and entrusted by their counties, are expelled the house, or committed, for refusing to take the oath of Association to live and die with the earl of Essex, as very lately sir Sidney Montague. These are the men who have presumed to send ambassadors, and to enter into treaties with foreign states, in their own behalfs; having, at this time, an agent of their own with the states of Holland, to negotiate for them upon private instructions. These are the men who, not thinking they have yet brought mischief enough upon this kingdom, at this time invite and solicit our subjects of Scotland to enter this land with an army against us. In a word, these are the men, who have made this last devouring Ordinance to take away all law, liberty and property from our people; and have, by it, really acted that upon our people, which, with infinite malice, and no colour or ground, was laboured to be infused into them, to have been our intention by the Commissions of Array.—We have done. What power and authority these men have, or would have, we know not: for ourself we challenge none such; we look upon the pressures and inconveniences our good subjects bear, even by us and our army (which the army first raised by them enforced us to levy in our defence, and their refusal of all offers and desires of treaty enforceth us to keep) with very much sadness of heart: we are so far from requiring a 20th part of their estates, (though for their own visible preservation) that, as we have already sold or pawned our own jewels, and coined our own plate, so we are willing to sell all our own land and houses for their relief; yet we do not doubt but our good subjects will seriously consider our condition, and their own duties, and think our readiness to protect them with the utmost hazard of our life, deserves their readiness to assist us with some part of their fortunes; and whilst other men give a 20th part of their estates, to enable them to forfeit the other 19, that they will extend themselves to us in a liberal and free proportion for the preservation of the rest; and for the maintenance of God's true religion, the laws of the land, the liberty of the subject, and the safety and very being of parliament and of this kingdom; for if all these ever were, or can be, in manifest danger, it is now in this present rebellion against us.—Lastly, we will and require all our loving subjects of what degree or quality soever, as they will answer it to God, to us, and to posterity, by their oaths of allegiance and supremacy; as they would not be looked upon now, and remembered hereafter, as betrayers of the laws and liberty they were born to; that they, in no degree, submit to this wild pretended Ordinance; and that they presume not to give any encouragement, or assistance, to the army now in rebellion against us: which if, notwithstanding, they shall do, they must expect from us the severest punishment the law can inflict, and a perpetual infamy with all good men."

The King's Answer to the Petition of both Houses, of the 24th.] Nov. 28. The king's Answer to the Parliament's last Petition to him, was read in the house of lords as follows:

"We expected such Propositions from you, as might speedily remove and prevent the misery and desolation of this kingdom; and that, for the effecting thereof, (we now residing at a

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convenient place, not far from our city of London) committees from both our houses of parliament should attend us; for you pretended, by your Message to us at Colebrooke, that those were your desires: instead thereof (and thereby let all the world judge of the design of that overture) we have only received your humble Petition, 'That we would be pleased to return to our parliament, with our royal, not our martial attendance.' All our good subjects that remember what we have so often told you and them upon this subject, and what hath since passed, must, with indignation, look upon this Message, as intended by the contrivers thereof for a scorn to us; and thereby designed by that Malignant Party (of whom we have so often complained, whose safety and ambition is built upon the divisions and ruins of this kingdom, and who have too great an influence upon your actions) for a wall of separation betwixt us and our people. We have told you the reasons why we parted from London; how we were chased thence, and by whom: we have often complained that the greatest part of our peers, and of the members of our house of commons, could not, with safety to their honours and persons, continue and vote freely among you; but, by violence and cunning practices, were debarred of those privileges which their birth-rights, and the trust reposed in them by their counties, gave them; the truth whereof may sufficiently appear by the small number of those that are with you. We have offered to meet both our houses in any place free and convenient for us and them, but we could never receive the least satisfaction in any of these particulars, nor for those scandalous and seditious pamphlets and sermons which swarm amongst you. That is all one you tell us: 'it is now for our honour, and for the safety of our royal person, to return to our parliament.' But herein your formerly denying us a negative voice gives us cause to believe, that, by giving yourselves that name without us, you intend not to acknowledge us to be part of it. The whole kingdom knows that an army was raised under pretence of Orders of both houses, an usurpation never heard of before in any age; which army hath pursued us in our own kingdom, gave us Battle at Keynton, and endeavoured to take away the life of us and our children; and yet (these rebels being newly recruited, and possessed of our city of London) we are courteously invited to return to our parliament there; that is, into the power of this army. Doth this signify any other thing, than that, since the traiterous endeavours of those desperate men could not snatch the crown from our head, (it being defended by the providence of God, and the affections and loyalty of our good subjects) we should now tamely come up and give it them; and put ourselves, our life, and the lives, liberties, and fortunes of all our good subjects into their merciful hands? Well, we think not fit to give any other Answer to this part of your Petition: but as we impute not this affront to both our houses of parliament, nor to the major part of those that are now present there, but to that dangerous Party we and the whole kingdom must cry out upon; so we shall, for our good subjects sake, and out of our most tender sense of their miseries and the general calamities of this kingdom, which must, if this war continue, speedily overwhelm this whole nation, take no advantage of it. But, if you shall really pursue what you presented to us at Colebrooke, we shall make good all we then gave you in Answer to it, whereby the hearts of our distressed subjects may be raised with the hopes of peace; without which religion, the laws, and your liberties, can no way be settled and secured. Touching the late and sad accident you mention, if you thereby intend that of Brentford, we desire you, once, to deal ingenuously with the people; and to let them see our last Message to you, and our Declaration to them, concerning the same; (both which we sent to our press at London, but were taken away from our messenger, and not suffered to be published) and then we doubt not but they will be soon undeceived, and easily find out those counsels, which do rather persuade a desperate division, than a good agreement betwixt us, our two houses, and people."

An Ordinance for fitting out Ships to cut off all Supplies from the King.] Nov. 29. An Ordinance of parl. was made, For the speedy setting forth certain Ships, in all points furnished for war, to prevent the bringing over soldiers, money, ordnance, and other ammunition from beyond the sea, to assist the king against the parliament of England. By this Ordinance it was declared, That all adventurers in this enterprize should have and enjoy all ships, goods, money, plate, arms, ammunition, victuals, pillage, and spoil, which should be seized or taken, as their own proper goods.

Sir S. Montague, a Member, committed to the Tower, for refusing to assist the Earl of Essex.] December 3. The question for adhering to the earl of Essex in this cause, for the maintenance and preservation of the true protestant religion, the king's person, the laws of the land, the peace of the kingdom, the liberty and property of the subject, and the rights and privileges of parliament, was this day read to sir Sidney Montague, (member for Huntingdonshire) and his vote demanded: and he gave his negative voice unto it. Hereupon the commons resolved, by a majority of 48 voices against 45, 1. "That he be disabled for continuing any longer a member of this house, during this parliament. 2. That his person be forthwith secured. And, 3. That he be forthwith committed prisoner to the Tower." Sir Sidney was then called to the bar, and, kneeling there, Mr. Speaker pronounced sentence against him accordingly, for not yielding his consent to assist the earl of Essex in the maintenance of religion, the king's person, the liberty of the subject, the rights and privileges of parliament; and giving for his reason, That the king had declared such traitors, as should

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adhere unto the said earl in this cause; and pulled a Declaration out of his pocket, and thereby seemed to lay an imputation upon all the members, and others, that had declared to assist the said earl in this cause: the house thinking it a great crime, that any member should be guided by Declarations from abroad, and not by his own judgment in giving his vote.

State of the Kingdom at this time.] After the late rencounter at Brentford, the king withdrew his army over Kingston-Bridge to Oatlands; and from thence, by Colebrooke and Reading, to Oxford. At the same time the earl of Newcastle had associated all the counties North of Yorkshire, for the king; on which commissions were sent down from the parliament, to the lord Fairfax and others, to associate the last-named county with all the midland counties up to North-Wales. However, the earl marched forward, with an army of Northumbrians, &c. towards York. At Piersbridge, a pass over the river Tees, he was opposed by a party of lord Fairfax's horse, commanded by capt. Hotham, whom the earl dispersed, and marched strait to York; where he published a Declaration, setting forth the reasons for his taking up arms for the king.—The parliament had also brought several counties, in the West of England, into an association; and some matters are entered in the Journals, for the encouragement of this project. In the South the event was various; Farnham castle, in Surry, was taken by the high sheriff, for the king; which sir Wm. Waller soon after retook for the parliament. But this loss was made up by the king's forces taking the town of Marlborough by storm, under the command of lords Digby, Grandison, Wilmot, Wentworth, &c. so that now the kingdom was in a flame, from one end to the other.

Some Citizens of London complain of an intended Petition for an Accommodation.] Dec. 9. Two Petitions to parliament being on foot, at the same time, in the city of London, but widely different in their contents, Mr Shute appears again in the Journals of the commons, declaring, "That, with all thankfulness, the Godly Party acknowledged the open care of that house to all their desires: that they did subject their money and lives, to the last drop of blood in their veins, to be disposed of by parliament: But they desired to clear themselves from an imputation cast upon them by the Malignants, 'That they petition against Peace.' This, he said, was far from their intentions; but their desires were for an honourable and secure peace: that the Malignant Party went about to get hands to a Petition to procure a Treaty, that the enemy might gain time to recollect their broken strength; well knowing that they are so, and that they want powder and ammunition." He then presented a copy of the adverse Petition, which was read; but after returning thanks to Mr. Shute and the rest of the citizens, for this fresh mark of their esteem, the further consideration of this Petition was deferred to another time: and, a day or two after, Mr. Shute, it seems, growing too bold in addressing the house, two of the members were ordered to acquaint him, That the commons resented some expressions used by him, and admonished him how to demean himself hereafter, when he came to give information to them.

A Letter from Devonshire, giving an Account of the State of Affairs in the West.] As the history of this Intestine War will be best known by the Letters of Intelligence, which were sent to the parliament, from different parts of the kingdom, the insertion of them, in their proper order of time, will not only illustrate several passages in the course of this work, but open many scenes of importance, hitherto concealed from the public. We shall begin with a letter from Devonshire, which was, on the 13th of this month, presented to the lords, by the commons, at a conference. It was addressed to the lords, and others, of the Committee for the Safety of the Kingdom, at Westminster:

"Right honourable; According to our duty and trust reposed in us, we have used our best endeavours for the preservation of this county; and although little assistance hath been afforded us by the people here, to what we expected, yet God, that never fails those that go on in his way, and rest upon his power and goodness, hath so blessed us now in this time of straits, that he hath done great things for us by small means: to him therefore be the glory and the praise. Upon Tuesday the 29th of Nov. capt. Thompson and capt. Pym, by command of colonel Ruthen, went to Plimpton, to keep that town, with their troops and about 70 dragooners and 200 foot, if they saw it might have been kept without great hazard; but, the next day, hearing the enemies were marching from Tavistock, with (as was related to us) 3000 horse and foot, and 8 pieces of ordnance; and finding the town of Plimpton not to be kept without as great a force as should come against it, by reason the town lies so scattering, and several villages so near it; and so, lest the enemy should come between them and Plymouth, they drew forth towards the enemy; but, night coming on, they could not come to give them charge, without hazard and damage one of another in the dark; they then went to Plymouth. The day after, being Thursday, colonel Ruthen, with 4 troops of horse and the aforesaid dragooners, went to Plimpton to view the town, and to see the motion of the enemy; and, finding the town as was related to him, he then drew towards Plymouth, and stood upon the Lary for the space of 3 hours; forcing the enemy, who attempted one charge to have drawn us to their ambuscades, to fly presently; and durst not (with all their force, which we judge was at least 2500 horse and foot then left, for many ran away the night before) give us a charge upon fair ground; but that night they went to Plimpton, where they continued

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till the 7th of this month. Colonel Ruthen, with the aforesaid 4 troops of horse and about 100 dragooners, about 3 of the clock in the morning, marched from Plymouth over Rubart Downs, being a bye-way to Modbury; where were gathered together, by the sheriff's commands, 3 or 4000 men, some with arms, and some without; and we came so privately that they did not discover us until we were within a mile of the town; which did so amaze them, that after sir Ralph Hopton drew up all the men he could presently get, he, with sir Nich. Slanning, ran away and escaped: and after a small skirmish with those that stood to it, we took prisoners, the sheriff sir Edw. Fortescue, and his brother; sir Edw. Seymour, knight of the shire for Devonshire, and his son; Mr. Basset, capt. Pomeroy, capt. Wood, capt. Penrose, lieut. Barnes of Exon, and many others. —From thence we marched that day, a long march of 16 hours on horseback, with our prisoners, to Dartmouth, to the gladding of the hearts of the good people there; for, while we were upon our march towards Modbury, one Mr. Tho. Leigh was in treaty with sir Ralph Hopton, about the delivery up of the town, as we were informed; and, by his own confession since, he had got a warrant to free his house from plundering; this Mr. Leigh we have also taken, and, with the rest of the prisoners, have sent to Plymouth, this morning, in a frigate called the Crescent, by one capt. Plunket. We ran a great hazard in this service, as your honours may judge, for the enemy lay on both sides with all their forces; part at Plimpton and part at Totness: but the Lord carried us along in our way, and delivered the enemies of his truth and of our liberties, into our hands, and made many more to fly before us: the prisoners col. Ruthen hath ordered to be sent from Plymouth, with the first fair wind, to London; and we now lie here, expecting some force from Exon to join with us; and, if we can have but 1000 dragooners, we hope to do the enemy much damage. We hear, this day, that since our coming hither the enemy is advanced with the greatest part of their force to Totness; what are left at Plimpton we know not. If speedy supply comes not of men, money, and arms, we fear they will plunder most of the good towns in this county; and what it may grow to, if God doth not mightily work for us, we know not. Your honours know of what great concernment the keeping of this county is, and we doubt not but the great need of assistance will be sufficient to move your honours to take into consideration the premises; which that your honours would be pleased to do, is the humble petition of Your, &c. WM. RUTHEN, ALEX. PYM, GEO. THOMPSON, ANTH. ROUSE, LEWIS DICK. Dartmouth, Dec. 9, 1642."

Mr. Hollis appointed Commander in Chief in the West.] At the foregoing conference the lords were informed, That, upon occasion of this Letter, the Commons had passed these Votes following, wherein they desired their lordships' concurrence; "1. That Mr. Hollis be desired to command the forces in the Western parts in chief. 2. That my lord general be desired to grant a commission to Mr. Hollis accordingly. 3. That a committee of lords and commons may recommend to the city the state of the Western counties, and earnestly move them, in regard of the importance of those counties, to assist the setting forth of a considerable strength to be sent into those parts; that the Letter from Dartmouth be communicated to the city of London; and that those committees of both houses may be a standing committee, to take care of the furtherance and sending away such supplies as are resolved to be sent." The lords agreed to all these Votes, and the following peers were appointed to be committees to join with a proportionable number of the commons, viz. the earls of Pembroke and Bolingbroke, the lord Say and Sele, the lords Grey de Werk, Brooke, and Wharton.

Thanksgiving for the taking of Winchester.] Dec. 16. A message came from the lord general, with a relation that the parliament's forces had taken the castle and city of Winchester, with the lord Grandison and 24 other commanders prisoners, 700 soldiers, 600 horse, and 600 arms, with the loss of a few men only. For which victory the lord general intended to give public Thanks to God, the next Lord's day, at Windsor, for this great success without loss of blood. His lordship desired the lords would give order that a public Thanksgiving might be observed the same day in London and Westminster. On which the house ordered, That the lord mayor be desired to cause public Thanks to be given within the said city and liberties; the justices of peace for Westminster and Middlesex were also ordered to do the same, and every where to express their joy, by ringing of bells, &c. for this victory.

Lord Fairfax's Account of the State of the Northern Counties.] At the same time a Letter from lord Fairfax, was read, giving an Account of the State of Affairs in the Northern counties. It was addressed to the Speaker of the house of peers pro tempore: viz.

"May it please your lordship; Upon Saturday last, I received a Declaration of parliament, with a commission from his excellency the earl of Essex, to command in chief over the forces of the North, and other adjacent counties; which great honour and trust, far above any ambition or merit, by your lordships conferred on me, I shall exercise with all care and fidelity; not doubting but that your lordships will enable me therein, with such other supplies as the necessity of the service shall require, and that represented from hence. The State of Affairs in these parts, since my last dispatch of the 1st of this month, stands in this manner: The earl of Newcastle is come to York, and joined his forces to the earl of Cumberland, making in all, as I am informed, about 8000 men, horse and foot, of which

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there is about 2000 horse and dragooners; a strength far too potent to be resisted by the small power which I have here, whereof I send a List inclosed: Our strength was once estimated by ourselves far greater than now it appears; for upon the earl of Newcastle's coming over the Tees, sir Edward Loftus with all the Richmondshire men, and sir Henry Anderson with all the Cleveland men and the rest of the North-Riding, which were estimated at 1000 men, did all return to their own houses, save about 130 men brought hither by sir Matthew Boynton, some other gentlemen, and one troop of horse raised by sir Henry Foulis, and about 40 horse more brought hither by captain Anderson. Besides this defect, our numbers are decreased by sir Hugh Cholmley, to whom I have sent divers orders to march Northward, to join with captain Hotham and the rest, in resisting the earl of Newcastle's entry, before he came into Yorkshire; and, since his entry, to come to me and the rest of the army at Tadcaster, but he found such impediments as he could do neither; and now I hear he is gone to Scarbrough, and taken his forces with him, which were about 700 men; col. Boynton, whose regiment consisted of 800 foot, is likewise marched towards Hull, although I sent him divers orders to march up hither to assist the forces at Tadcaster, giving me neither reason of his not coming to me, nor of his march towards Hull. I understood that sir John Gell had raised 800 men in Derbyshire, and sent unto him to march hither to our succour; but I have received an answer from him, that he is not able yet to stir from thence: from sir Anthony Irby, nor the Lincolnshire men, I hear nothing, though I have sent to them express messengers: so our whole strength here (upon return of the former sent into the North) consisting of 21 companies of foot, and seven troops of horse, and one company of dragooners, we did send, of them, 2 companies of foot to secure Selby, and one company to secure Cawood castle; and quartered the rest, part of them at Wetherby, under command of captain Hotham, whom I have nominated to be lieut. general of the army, and the rest at Tadcaster, under my own command.—Upon Tuesday receiving intelligence that the earl of Newcastle, with his whole forces, intended to fall upon our quarter at Tadcaster, I sent to capt. Hotham to bring up the forces at Wetherby; which being done, and the earl of Newcastle's army come in sight, we drew our men into the uttermost part of our quarter, where we had raised some breast-works for our musqueteers: there the fight began about 11 of the clock, and so continued, in sharp dispute, until about 4 of the clock in the evening; in which time there was at least 40,000 musquet-shot discharged on both sides, and great numbers of cannon shot.—The enemy had once won part of the town and beaten our men, and placed some of their companies in two or three houses, which did much endanger us; but in the end our men, with great courage, forced them out again, recovered and burnt the houses, and killed many of the enemy's men that were there placed; and, in conclusion, forced the whole army to retreat, leaving very many of their men dead, and very great numbers wounded: the certain numbers, nor qualities of the persons we could not take, but it is generally said by the country people that there were, at least, 100 found killed and burnt, and we took 17 prisoners in the fight: on our part we lost 6 men, and captain Wm. Lister, a valiant and gallant gentleman, who was shot with a musquet bullet in the head; we had about 20 more wounded, but lost not one prisoner in the battle; though divers of our men, being negligent of their duty, stayed behind us when we quitted the quarter; and so were taken there by the enemy, the next day, and made prisoners. In this fight our men behaved themselves with very great resolution, far beyond expectation, in so much, as I conceive, we might have maintained the place still, if we had been furnished with powder and shot; but having spent in a manner all our whole store of bullet, match, and powder, I advised with the commanders, and, by general consent, it was thought fit to rise with our forces, and to march to Cawood and Selby, to secure those places; and there to receive supplies of ammunition and men: this was accordingly done, and now I am at Selby with part of the army, and the rest with capt. Hotham at Cawood. Yesterday I sent my son, sir Tho. Fairfax, with 5 companies of foot, and 2 troops of horse to Leeds; intending he should continue there to secure that place, and the other clothing towns, against the earl of Newcastle's forces, if it were possible; but the enemy's forces were laid so strong in the way, as he could not pass, so he only beat up a quarter of the enemies in a small village, took 5 prisoners, and retreated to Selby.—Thus, my lord, I have briefly represented the condition of the army at present; which, I must confess, I fear will very suddenly grow worse, if not utterly broken up; and that especially for want of money, I having not above a week's pay provided before-hand, and no visible means left to raise maintenance for them, unless I should give the soldiers free quarters upon the country: a cure, in my conceit, as dangerous as the disease, and peradventure not possible to be effected if the enemy be still masters of the field, and cut off our men as they go abroad to levy sustenance; which they may do, and yet not able to beat up our quarters. I have hitherto supported this army by the loans and contributions, for the most part, of the parishes of Leeds, Halifax, and Bradford, and some of the small cloathing towns adjacent; being the only well-affected people in the country, who, I much fear, may suffer by this Popish army of the North; merely for their good affection to religion and the public liberty. Of the rest of the country I was not able to draw any considerable help, the enemy having garrisons in

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so many places, who threaten to ruin any that should assist the parliament and their cause, with money or other helps.—My lord, in sum, the state of the country is thus: The enemy is mighty, and master of the field, plentifully supplied from his majesty, and the Popish and Malignant Party, with monies and all other necessaries. The well-affected party, as now it is divided, not considerable; the aid from Lincolnshire, Derbyshire, and other counties, very uncertain; the want of money here such as will force us to disband within ten days. If the enemy become once absolute masters of Yorkshire, they will force contributions and succours from the country, which will raise a very formidable army, and put the whole cause in peril, if God do not miraculously defend it. —I beseech their lordships seriously to consider of it, and send such speedy supplies of men and money, as may enable me to go forward in the service; which I shall not fail to do with a constant fideli y. Their lordships have, heretofore, assigned 2000*l.* for our succour; but the most part of it is still at London, where it lies for want of exchange or convoy: and therefore what shall now be sent must come either by sufficient convoy of forces by land, or else by sea to Hull, and so hither to me. The Scots officers came hither yesterday; but now we are so straitened that we have no men to resort to us to put under their command, nor have we any money to pay them. The further relation of these affairs I leave to capt. Hatcher, who follows these letters purposely to give true relation to the house of these affairs; he hath been an eye-witness to most of the passages in this country, from the first of raising of arms; to his further expression I shall leave it, with this addition only, That if the country or cause suffer, their lordships will discern, by this relation, in whom the fault hath been, and impute it accordingly; for nothing hath been omitted, possible to be effected, by Your, &c. FRED. FAIRFAX. Dec. 10, 1642, from Selby."

Dec. 19. The Lords went again on the Propositions for Peace, and a great debate ensued thereupon. The third Article, concerning Delinquents, was read, and put to the question, Whether the house shall make this proposition to the king, That all which are impeached by the house of commons, at this time, shall be left to take their trial by parliament? It passed in the negative.

A Petition from several Citizens of London to Parliament for Peace: which is ill received.] This day the city of London, by an order of common council, presented a Petition to both houses, in which was inclosed another to his majesty; which, after their approbation, they desired might be conveyed to him. At the same time was presented another Petition from many citizens and inhabitants of that city. Both these were for peace and a speedy agreement: upon the former the commons passed two votes, to which the lords consented, declaring their great approbation thereof, and that it was fit this Petition to the king should be presented to him. The other met with a different reception. Neither of them are mentioned in the Collections of the times; but we meet with a copy of the latter in the Lords Journals:

"To the right hon. the Lords and Commons assembled in parliament: The Humble PETITION of divers Citizens, Inhabitants of the City of London and Liberties thereof, with the Inhabitants of the Borough of Southwark and places adjacent,

"Sheweth, That the present sense of our miseries, and the apprehension of the inevitable ruin both of the church and commonwealth, make us become suitors to this honourable assembly, the likeliest means, under God, for our relief; to consider our distressed estate, and provide a speedy remedy for our present and future evils; earnestly to desire you to weigh the care and judgment of your predecessors, who, by a known law, settled and preserved our Protestant religion, our liberties and properties, with a right understanding between king and subject, which produced peace and plenty in our estates; and to reflect, with serious thoughts, upon our present distempers, violating religion by Papists and Sectaries, engaging our nation in a civil and destructive war, invading our laws and liberties, endangering all our lives, and utterly disabling us to relieve our distressed brethren in Ireland.—We beseech you likewise to consider the effects of a Civil War, as the destruction of Christians, and the unnatural effusion of blood; fathers against sons; brothers by brothers, friends by friends, slain; then famine and sickness, the followers of a continued war, making way for a general confusion and invasion by a foreign nation; whilst our treasure is exhausted, our trade lost, and the kingdom dispeopled: these things, weighed and enlarged by your wisdoms, we doubt not will be as strong a motive in you to labour, as in us to desire, a speedy Peace and happy Accommodation. Wherefore we humbly crave that, not lending ear to any the fomenters of the present war, under what pretence soever; or remembering ought that may increase jealousies or continue divisions between his majesty and the houses of parliament; you will tender his maj. according to his royal intimations, such Propositions for Accommodation as he may, with honour and safety to the whole kingdom, accept; for the effecting whereof we shall be ready to assist you with the best and utmost of our abilities; and whilst you endeavour for peace, we shall send up our prayers to Heaven for the blessing of peace upon you and all that desire it."

The petitioners withdrew, and the house took into consideration what Answer to give to their Petition; and, after debate, the gentleman-usher was commanded to let those that brought this Petition know, That their lordships have received a complaint against this

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Petition from the commons, and will take the same into consideration: and a committee was appointed to consider of, and to take examinations about, the managing and procuring of this Petition.—The lord mayor, aldermen, and common council of the city, upon presenting their own Petition to the commons, protested against this latter, saying, They had damned it by a public act; and did desire that when hereafter any Petition came to parliament, in the name of the city of London, and was not attested by the hand of the town-clerk, it might be rejected, and not esteemed as a Petition from their city.

The Lords resolve to except some Delinquents from Trial by Parliament.] Dec. 20. Although a vote had passed yesterday concerning Delinquents, That they were not all to be included in their designed Propositions to the king for Peace, the house of commons had got that Order over-ruled in some measure: for though a committee of lords had been appointed to consider of the naming of such Delinquents as were to be excepted out of their act of grace, who this day brought in their opinion, That those only who had been impeached before the 1st of Jan. last, should be proceeded against in parliament; yet the lord Digby, particularly, though he had been impeached since that time, was left to the judgment of parliament.—Then the committee proceeded to name such persons as were fit to be removed from the king; as, the marquis of Hertford to lose his office about the prince; the earl of Bristol, the lord Herbert of Ragland (eldest son of the earl of Worcester), Mr. Piercy, Mr. Jermyn, and Mr. Wilmot, to be removed from court. And, after a long debate, the following Question was put: "Those that are of opinion to agree with the committee, That, at this time, such as the committee have named to be impeached by the commons, should be left to the trial of parliament, omitting the rest of those which are impeached, say Content;" and it passed affirmatively.

A Protest thereupon.] On which the following lords entered their Dissent; and, after repeating the two last questions of yesterday and to-day, carried against them, they proceeded to say,

"We whose names are subscribed, do conceive that the demanding, by this house, of some to be left to justice, and leaving out of others, who are under the like impeachment of high treason, and have been, by force of arms, protected from being brought to a trial, in the highest court of judicature, is an example of very ill consequence: because we conceive that it is not proper for this house to move the house of commons, in the stopping of their proceedings upon impeachments; and that it doth not only give encouragement to a king to attempt the like stoppage of justice by force, and, from this precedent, to stand upon the protecting of persons impeached; but to subjects also, who may be induced to undertake any thing in hopes of impunity, even from the desires of this house; which hath not demanded any one of those to be left to trial, who, since his majesty's going to York, have been impeached of high treason, for actual levying war against the king and kingdom. Upon these, amongst other reasons, we have demanded our right of Protestation; and do now accordingly enter it, to clear ourselves from any inconveniences that may follow from these Votes; which are, in our opinion, very prejudicial to the privileges of parliament and the liberty of the subject. WARWICK, PETERBOROUGH, MANCHESTER, SAY and SELE, WHARTON, BOLINGBROKE, WILLOUGHBY of Parham, BROOKE, GREY de WERK."

Next was read the whole of the Propositions for Peace, which were agreed on by the lords, and ordered to be sent down to the commons.

Dec. 22 Petitions came up from different parts of the kingdom to the lords, all crying loudly for peace. To which the lords returned this answer: "That they approved of their desires for peace and agreement between the king and parliament, which was always desired and endeavoured by that house; and that they were then about it, and hoped for good success."—This day a letter from the earl of Stamford was read, giving an account of the securing of Bristol to the parliament; and that he was raising a considerable number of forces in those parts.

A Subscription in the H. of Lords, for Maintenance of the Parliament's Army.] Dec. 31. A new Subscription, for the further Maintenance of the Army, was warmly promoted in the house of lords. The peers underwritten subscribed their names and sums, as follows: earl of Warwick 500*l.* earl of Manchester 300*l.* earl of Bolingbroke 200*l.* lord visc. Say and Sele 100*l.* lord Brooke 200*l.* lord Fielding 500*l.*—It was ordered, also, That the Speaker should move, on the first of Jan. next, to know the Answer of those lords who have not subscribed to the Maintenance of the Army, as well as the assistants also attending this house.—That the parliament was driven to great straits for want of money at this time, is also evident from a message sent to the house of commons, this day, importing, That there was a great necessity for money, and that the city of London was willing to make a further Subscription, if the members of parliament would set a good example in that particular. That divers lords had already subscribed to this purpose, and the Speaker was ordered to know the Answers of those who have not; and others were appointed to take the Subscriptions of the assistants this afternoon; therefore the commons were desired to take the same course with their members, that it may be recommended, with all expedition, to the city of London to do the like.—Thus ended the calendar year 1642.

The king at this time kept his court at Oxford, his army being quartered conveniently in the neighbouring towns, this season not being

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proper for action. Hither great numbers of both houses of parliament had resorted to him, insomuch that, in a short time, they constituted a kind of separate house of lords and commons of themselves; as will be seen hereafter.

Letter from Lord Fairfax concerning the Proceedings of the two Armies in Yorkshire.] Jan. 4. The commons sent up a message to the lords, and with it a Letter they had just received from their general, the lord Fairfax, in the North. It was addressed to one of their members, as follows:

"I address this Relation to you, not doubting but it shall be imparted to both houses of parliament and to the committee for the safety of the kingdom; that the affairs of this country being known to them all, they may be provided for as their wisdoms shall see convenient. I have, formerly, advertised that the earl of Newcastle's army have seized upon Leeds, where they plundered the well-affected party, and raised a very great sum of money out of those that they could draw to compound for their securities. From Leeds they marched, on Sunday the 18th of this month, with 5 troops of horse, 6 companies of dragoons, 200 foot, and two drakes of the earl of Newcastle's army; besides sir Wm. Saville, and divers other gentlemen of Yorkshire and their forces, that joined themselves with them. They came to Bradford about 10 in the morning, intending to surprize the town in time of prayer; but the town having scouts abroad, had notice of their coming, and gave the alarm to the country, who came in to their succour from the parts adjoining; yet they had not in all above 80 muskets, the rest being armed with clubs, and such rustick weapons, with which small force they put the cause to trial with the great strength of the enemy; who planted their drakes, and discharged each of them 17 times upon the town, until a town's man, with a fowling-piece, killed one of the cannoneers; and then they all, with great courage, issued from the town upon the enemy, killed many of them, took about 30 prisoners, and forced the rest to retreat; leaving 40 of their muskets and a barrel of their powder, with much other provisions, behind them; and this with the loss of but 3 Bradford men.—In this victory the hand and power of God was most evident, the town being open on all sides, and of itself not being defensible; assaulted on every side by a malicious and bloody enemy, and defended by a few half-naked men; there being in the town not above 80 muskets before they got 40 more by the spoils of the enemy; so that the slaughter was, for the most part, with clubs, and scythes mounted on poles, when they closed and came to hand-blows. With this defeat the enemies are so enraged, that they threaten utter ruin to Bradford; whereupon the town's men sent to me for succour of men and arms, and I have sent my son, with sir Henry Foulis, to them with three troops of horse and 120 dragooners. These are safely arrived there, and received with great joy and acclamation of the country who flock to him, and offer themselves most willingly to serve against the Popish enemies, if arms could be furnished to them. He hath already surprized some victuals sent in, upon warrants, to the enemy at Leeds, by the over-awed country; and he hath sent capt. Mildmay with his troop of horse and some dragooners into Craven, to stop the raising of money and forces in that country; which is attempted by the earl of Cumberland, who is lately retired from York to Skipton.—The earl of Newcastle proceeds in raising money, by all the illegal and oppressive ways that can be devised; and, both by the Commission of Array, and by Presses made in the churches, raiseth all the men he can. This being attempted in Cleveland by certain of the disaffected gentry, their expectation was prevented; the resort and appearance of the people stopped, and the commissioners themselves forced to fly, by sir Hugh Cholmley, to whom I sent special order for that end. I hear he hath also been at Malton, and there surprized both the receiver and the monies raised out of the country thereabouts, by those warrants. I cannot hear, certainly, what monies or men the earl of Newcastle hath raised since he came into this country; but he grants commissions to sundry convict recusants to raise troops of horse: and I hear daily complaints of horrible plunders and spoils done by that army, and those by special order, and in such manner, as, if they be not speedily restrained, and this Popish army expelled the country, they will not only utterly ruin all trade and commerce, but discourage and disable all husbandry; and so bring poverty and famine upon the land.—I have formerly represented to the committee the extreme want of money here, and how impossible it is to raise any, the enemy being master of the field. I have sent to sir J. Hotham, sir Edw. Rhodes, sir Hugh Cholmley, and capt. Hotham; but they all alledge great necessities of their own, and help me with none; so that I am put upon such straits, as seldom happen, to retain an army together, and withal serve against a more potent enemy; having neither money to pay them, nor free quarters to give them. If a speedy supply of money do not come, I much fear the soldiers will steal away and desert the service.—I have just now received your letters, signifying that the house hath designed us 10,000l. to be presently sent, and will take further care for all necessaries to be supplied; for this, I beseech you, return my humble thanks, and assure them that there shall want no care nor fidelity in me to advance the service, so highly concerning the laws and religion of the land. Your affectionate friend and servant, FERD. FAIRFAX. Selby, Dec. 29, 1642."

After the reading of this Letter, an Order was made to send to the lord Fairfax a supply, and to trust to his known justice and faithful service for the due management of it.

Remarkable Divisions on the Propositions for Peace.] Jan. 10. A circumstance occurred

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in the house of commons, which though trivial in itself, it may not be improper to notice. In one of the debates relating to the Propositions for Peace, the house divided on the question; when the tellers came to make their report of the numbers, they could not agree upon it, three being of one opinion, and the fourth of another. The house then divided again, and all who were not present at the first telling were required to withdraw. The tellers reported the numbers to be 33 on each side: but one member present at the first division and telling, yet came not in upon the second telling, till the numbers were given in and reported by Mr. Speaker, was desired to be counted; a debate arose whether he should or not, coming not in till the report was made: the house divided again on this question; but, before it was told, the Noes yielded, and that member, being added to the Yeas, made their number 34.

Relation of the Manner of presenting a Petition from the City of London to the King at Oxford.] Jan. 12. A Relation was read in the house of lords, sent up by the commons, concerning the carrying and delivery of a Petition from the city of London, to the king at Oxford. This Relation was made by the city's commissioners appointed for that purpose; and, since the consequences of it are somewhat curious, it is worthy of insertion. The Petition is not entered in the Journals, being a work of common council only; but we have met with a printed copy of it, and the king's Answer to it, with some speeches made by a committee of both houses, sent to attend the reading of them in the Guildhall, which we shall give; and first, the Relation stands thus in the Journals:

"At this Common Council sir George Garret, sir George Clark, knights and aldermen, Mr. Peter Jones, Mr. Geo. Henley, Mr. Rd. Bateman, and Mr. Barney Reames, committees lately appointed by this court to make their Address unto his majesty, with an humble Petition, in the name of the mayor, aldermen, and commons of this city, did make their Relation in writing, which followeth in these words:—On Monday the 2nd of Jan. we came to Oxford, between one and two o'clock in the afternoon; where, though we could get no lodgings before night, yet presently we dispatched one to give the lord Falkland notice of our coming. About 3 o'clock we did all of us attend his lordship, at his lodgings in New College; with whom we sent one also to the court, to receive his majesty's order for admission into his presence; who returning unto us, and bringing us word, that his majesty would receive the Petition at 5 o'clock, we accordingly all of us came to the court. After some small time of attendance we were admitted unto his majesty in his withdrawing-chamber, and the Petition publickly read in his majesty's presence; unto which his majesty presently made Answer unto this effect, 'That he was glad of 'the occasion this Petition would give him, to 'let the city know some of his Declarations; 'which, although he had already caused them 'to be put in print, yet he doubted might be 'kept from the knowledge of his people in the 'city: that he doubted the petitioners promised 'more than they could perform, to wit, To defend his majesty from tumults; when, as he 'heard, they could not maintain peace and quiet 'among themselves: that his Answer should be 'full, which he would expect should be published and made known to all his people in 'the city.' And he added this Question, 'Whether they had petitioned the parliament also, to remember them of their duty to his majesty?' To this it was presently answered, That we were only messengers of this Petition, and could give no answer to that question. On Tuesday we had no audience, and only attended our Answer; but on Wednesday, we addressed ourselves for our dispatch, by a message unto the lord Falkland, and received his majesty's order to attend at 3 o'clock that afternoon, which we did accordingly; and, being called in, his majesty gave us a Paper, which, he said, was his Answer to the Petition; and so delivered it into the hands of a gentleman called Mr. Heron standing by him; who, he said, should go with us, and see it done accordingly. And having demanded which was the greater assembly, a Common Council or a Common Hall; and it being answered, That a Common Hall was the greater assembly, his majesty twice expressly commanded us that this his Answer should be published at a Common Hall; that there might be fair play and aboveboard, and that the people of the city might be disabused, and know the truth.—This done his majesty dismissed us, as we thought; but presently we were recalled, and his majesty said, 'He would send some persons to be 'amongst us in the city, to inform the city and 'him of the truth; whom he would expect 'they should protect, seeing they did protect 'persons ill-affected to his majesty; and that he 'should see by that, how they were able to protect his majesty.' This Relation we make according to our best remembrance."

The foregoing Narrative being read, it was declared, That the house of commons held it very necessary, if their lordships shall so please, that some committees of both houses be present at the Common Hall, to hear what shall be read from his majesty by Mr. Heron: and if it should prove to be the same that is printed, which contains matters very scandalous to the parliament, dangerous to the city and whole kingdom, seeming purposely designed to stir up mutiny in the city, that then they might be ready to take off the aspersions laid upon the proceedings of both houses; and to shew their confidence in the loyalty, wisdom, and good affection of the city, that they will not be misled nor distempered by any such scandals and aspersions: and if it prove not the same, but do contain any other aspersions, they might likewise clear the honour and justice of their proceedings as they shall see cause; and the house of commons desires their lordships to

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join with them in this also, that whatsoever the message did appear to be, they should yet clear the two houses of parliament, notwithstanding all the taxes laid upon them by that book; having done nothing but agreeable to their duty to the king and kingdom; and that the loyalty and modesty of the city, expressed in their Petition to his majesty, were to be commended.

The said Petition read at the Guildhall.] Jan. 18. This day the whole affair was transacted at the Guildhall, and a particular account taken of it, and printed by order of the house of commons, with an Introduction and Remarks upon it, as follows:*

The INTRODUCTION.

"That observation, 'Man's extremities are God's opportunities,' was never more abundantly and experimentally made good than in these latter days; and in none of these more than on Friday the 13th of Jan. 1642, in and toward the city of London, where his majesty's unexpected Answer to an humble Petition, presented to his majesty at Oxford, from the lord mayor and common-council of that honourable city, made many sad hearts; not only in regard that all the unwearied and loyal endeavours of parliament and city, with other parts of the kingdom, have made no deeper impression upon his majesty's heart, the greatest treasure for which they have contended; but also in some doubtful expectation what advantage such spirits might have made of it, at least to the unsettling of the peace, and disuniting the spirits of the city, who steer all their actions by that maxim of policy, 'Divide et impera,' divide and do what you will: the rather when they observed that the counsel of some not so well-wishers, certainly, to the public safety, as to their own private interests, had prevailed with his majesty that his answer should be published at a Common Hall, by his majesty's express order for that purpose, when as the Petition was humbly tendered to his majesty from a common council. To avoid all inconveniences, it pleased the wisdom and goodness of Heaven to direct the parliament to chuse an honourable committee of lords and commons to be present at the reading thereof; and the governors of the city to order that all the companies should first meet at their several halls, and then come in their City Habits to the Guildhall, where his majesty's Answer was to be read: when the committee of both houses, with the lord mayor, aldermen, and such a confluence of liverymen as hath not been seen there in the memory of the oldest man in the city, being met, the lord mayor commanded the town clerk to read, in the audience of that great assembly, the City's Petition which here follows:

To the King's Most Excellent Majesty: The Humble PETITION of the Mayor, Aldermen, and Commons of the City of London,

"Sheweth; That the petitioners, your majesty's most humble and loyal subjects, being much pierced with the long and great divisions between your majesty and both your houses of parliament, and with the sad and bloody effects thereof, both here and in Ireland, are yet more deeply wounded by the misapprehension which your maj. seemeth to entertain of the love and loyalty of this your city, as if there were some cause of fear or suspicion of danger to your royal person, if your maj. should return hither; and that this is made the unhappy bar to that blessed reconciliation with your great and most faithful council, for preventing that desolation and destruction, which is now most apparently imminent on your majesty and all your kingdoms:—For satisfaction therefore of your majesty, and clearing of the petitioners innocency, they most humbly declare, as formerly they have done, That they are in no way conscious of any disloyalty, but abhor all thoughts thereof: and that they are resolved to make good their late solemn Protestation and sacred vow made to Almighty God, and, with the last drop of their dearest bloods, to defend and maintain the true Reformed Protestant Religion; and, according to the duty of their allegiance, your majesty's royal person, honour, and estate; (whatever is maliciously and most falsely suggested to your maj. to the contrary) as well as the power and privileges of parliament, and the lawful rights and liberties of the subject; and do hereby engage themselves, their estates, and all they have, to their uttermost power, to defend and preserve your maj. and both houses of parliament from all tumults, affronts, and violence, with as much loyalty, love, and duty, as ever citizens expressed towards your majesty, or any of your royal progenitors in their greatest glory. The petitioners therefore, upon their bended knees, do most humbly beseech your maj. to return to your parliament, accompanied with your royal, not your martial, attendance; to the end that religion, laws, and liberties may be settled and secured; and whatsoever is amiss in church and commonwealth reformed by their advice, according to the fundamental constitutions of this kingdom; and that such a peace may thereby be obtained, as shall be for the glory of God, the honour and happiness of your maj. and posterity, and the safety and welfare of all your loyal subjects; who (the petitioners are fully assured, whatsoever is given out to the contrary) do unanimously desire the peace herein expressed. And the petitioners shall ever pray, &c. MICHELL.*

The King's Answer to it.] This being done, the king's messenger (Mr. Heron) being wished to read his majesty's Answer to that Petition, made some apology to be excused; partly willing to intimate that his commission was

* Published, with the licence of Mr. Elsynge, clerk of the house of commons, by Peter Cole, the printer of the other speeches at the Guildhall, which are already given in this work.

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but to deliver the Answer to the lord mayor, (which seemed very strange to standers by, who were ready to conclude, that if his majesty's command had been of no larger extent, the trouble of a common-hall might well have been spared) and partly pleading the inaudibleness of his voice in such a vast assembly; but being deemed the fittest for that service by the honourable committee, the lord mayor and his brethren, he then read his majesty's Answer, which here follows:

"His majesty hath graciously considered this Petition, and returns this Answer: That his maj. doth not entertain any misapprehension of the love and loyalty of his city of London. As he hath always expressed a singular regard and esteem of the affections of that city, and is still desirous to make it his chief place of residence, and to continue and renew many marks of his favour towards it; so he believes much the better and greater part of that his city is full of love, duty, and loyalty to his majesty; and that the tumults which heretofore forced his majesty, for his safety, to leave that place, though they were contrived and encouraged by some principal members thereof, (who are since well known, though they are above the reach of justice) consisted more of desperate persons of the suburbs, and the neighbouring towns, who were misled by the cunning and malice of their seducers, than of the inhabitants of that city. He looks on his good subjects there as persons groaning under the same burden which doth oppress his majesty, and awed by the same persons who begat these tumults, and the same army which gave battle to his majesty: and therefore as no good subject can more desire, from his soul, a composure of the general distractions; so no good citizen can more desire the establishment of the particular peace and prosperity of that place by his majesty's access thither, than his majesty himself doth.—But his maj. desires his good subjects of London seriously to consider what confidence his maj. can have of security there, whilst the laws of the land are so notoriously despised and trampled under foot; and the wholesome government of that city, heretofore so famous over all the world, is now submitted to the arbitrary power of a few desperate persons of no reputation, but for malice and disloyalty to him: whilst arms are taken up not only without, but against, his consent and express command; and collections publickly made, and contributions avowed, for the maintenance of the army which hath given him battle, and therein used all possible means, treason and malice could suggest to them, to have taken his life from him, and to have destroyed his royal issue; whilst such of his majesty's subjects, who, out of duty and affection to his majesty, and compassion of their bleeding country, have laboured for peace, are reviled, injured, and murdered, even by the magistrates of that city, or by their directions.—Lastly, What hope his maj. can have of safety there, whilst alderman Pennington, their pretended lord mayor, (the principal author of those calamities which so nearly threaten the ruin of that famous city) Ven, Foulke, and Mainwaring, all persons notoriously guilty of schism and high treason, commit such outrages in oppressing, robbing, and imprisoning, according to their discretion, all such his majesty's loving subjects whom they are pleased to suspect but for wishing well to his majesty: and his majesty would know whether the petitioners believe that the reviling and suppressing the Book of Common Prayer, (established in this Church ever since the Reformation) the discountenancing and imprisoning godly, learned, and painful preachers; and the cherishing and countenancing of Brownists, Anabaptists, and all manner of Sectaries, be the way to defend and maintain the true Reformed Protestant religion? That to comply with, and assist persons who have actually attempted to kill his majesty? and to allow and favour libels, pasquils, and seditious sermons against his majesty, be to defend his royal person and honour according to the duty of their allegiance? Whether to imprison men's persons, and to plunder their houses, because they will not rebel against his majesty, nor assist those that do? Whether to destroy their property, by taking away the 20th part of their estates from them; and, by the same arbitrary power, to refer to four standers by of their own faction, to judge what that 20th part is, be to defend the lawful rights and liberties of the subject? And if they think these actions to be instances of either, whether they do not know the persons before named to be guilty of them all? Or whether they think it possible that Almighty God can bless that city, and preserve it from destruction, whilst persons of such known guilt and wickedness are defended and justified amongst them, against the power of that law by which they can only subsist?—His maj. is so far from suffering himself to be incensed against the whole city, by the actions of these ill men, though they have hitherto been so prevalent as to make the affections of the rest of little use to him; and is so willing to be with them and to protect them, that the trade, wealth, and glory thereof (so decayed and eclipsed by these public distractions) may again be the envy of all foreign nations; that he doth, once more, graciously offer his free and general pardon to all the inhabitants of that his city of London, the suburbs, and city of Westminster, (except the persons formerly excepted by his majesty) if they shall yet return to their duty, loyalty, and obedience. And if his good subjects of that his city of London shall first solemnly declare, That they will defend the known laws of the land, and will submit to, and be governed by, no other rule: if they shall first manifest, by defending themselves, and maintaining their own rights, liberties, and interests, and suppressing any force and violence unlawfully raised against those and his majesty, their power to defend and preserve him from all tumults, affronts, and

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violence: Lastly, if they shall apprehend, and commit to safe custody, the persons of those four men who enrich themselves by the spoil and oppression of his loving subjects, and the ruin of the city, that his majesty may proceed against them by the course of law, as guilty of high treason, his maj. will speedily return to them with his royal, and without his martial, attendance; and will use his utmost endeavour that they may, hereafter, enjoy all the blessings of peace and plenty; and will no longer expect obedience from them, than he shall, with all the faculties of his soul, labour in the preserving and advancing the true reformed protestant religion, the laws of the land, the liberty and property of the subject, and the just privileges of parliament.—If, notwithstanding all this, the art and interest of these men can prevail so far, that they involve more men in their guilt, and draw that his city to sacrifice its present happiness and future hopes to their pride, fury, and malice; his majesty shall only give them this warning, That whosoever shall, henceforward, take up arms without his consent; contribute any money or plate, upon what pretence of authority soever, for maintenance of the army under the command of the earl of Essex, or any other army in rebellion against him; or shall pay tonnage and poundage, till the same shall be settled by act of parliament; every such person must expect the severest punishment the law can inflict; and, in the mean time, his maj. will seize upon any part of his estate within his power, for the relief and support of him and his army, raised and maintained for the defence of his person, the laws, and this his kingdom: and since he denies to his maj. the duty and benefit of his subjection, by giving assistance to rebels, which, by the known laws of the land, is high treason, his maj. shall likewise deny him the benefit of his protection; and shall not only signify to all his foreign ministers, that such person shall receive no advantage by being his subject, but shall, by all other ways and means, proceed against him as a public enemy to his maj. and this kingdom. —But his maj. hopes and doubts not but his good subjects of London will call to mind the acts of their predecessors, their duty, affection, loyalty, and merit towards their princes; the renown they have had with all posterity from, and the blessings of Heaven which always accompanied, those virtues; and will consider the perpetual scorn and infamy, which unavoidably will follow them and their children, if infinitely the meaner part in quality, and much the lesser part in number, shall be able to alter the government so admirably established, destroy the trade so excellently settled, and to waste the wealth, so industriously gotten, of that flourishing city; and then they will easily gather up the courage and resolution to join with his maj. in defence of their religion, laws and liberties, which hitherto hath and only can make themselves, his maj. and his kingdom happy.—For concurring with the advice of his two houses of parliament, which, with reference to the commonwealth, may be as well at this distance, as at Whitehall; his maj. doubts not but his good subjects of London well know how far, (beyond the example of his predecessors) his maj. hath concurred with their advice in passing of such laws, by which he willingly hath parted with many of his known rights, for the benefit of his subjects, which the fundamental constitutions of this kingdom did not oblige him to consent to; and hath used all possible means to beget a right understanding between them; and will therefore apply themselves to those who, by making just, peaceable, and honourable propositions to his majesty, can only beget that concurrence."

Speeches of the E. of Manchester and Mr. Pym to the Citizens, on this Occasion.] After the King's Messenger had read this once upon the hustings, in the audience of those honourable persons, he was, for the help of the lowness of his voice, and the advantage of the great multitudes in the hall, willed to read the same a second time in the clock-house, in the audience of the body of that assembly: among whom, after he had finished his work, an inconsiderable company near the door made some offers towards an acclamation; but finding no expected echo to answer their shout, they wound up in a little modesty and a great deal of silence; upon which,

The Earl of *Manchester* delivered his speech as followeth:—"My lord mayor, and you gentlemen of the city of London; This assembly can never be looked upon by any members of both houses of parliament, but there must be some offering of gratitude made to you; of thanks and acknowledgments for your former large-hearted expressions of affection and care for the preservation both of the parliament and kingdom: the occasion why my lords and these gentlemen of the house of commons are come hither is this, They have read an Answer to an humble Petition of the lord mayor and common council and citizens of London to his majesty; in which they find many wounding aspersions cast upon persons of very eminent authority in your city, and upon others of very great fidelity and trust among you: This Answer they do find, as it is printed, to agree with that which the gentleman from his majesty hath here read; and they owning themselves equally interested (in all things that concern you) with you, have commanded this gentleman to make some Observations by way of vindication, both of the proceedings of both houses of parliament, and of the proceedings of the city; with this assurance, that they will never desert you, but will stand by you with their lives and fortunes, for the preservation of the city in general, and those persons in particular, who have been faithful, and deserved well, both of the parliament and kingdom; and they will pursue all means, both with their lives and fortunes, that may be for the preservation of this city, and for the procuring of

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safety, happiness, and peace to the whole kingdom."

The Speech of this noble lord being entertained with loud expressions of joy and thankfulness by the commons; and, after some time, silence being made,

Mr. *Pym* gave the sense of both houses upon the several passages in his majesty's Answer, in the following speech:

"My lord mayor, and you worthy citizens of this noble and famous city of London; I am commanded by the lords and commons to let you know, that in this Answer, which hath been published to you, they do observe many things of great aspersion upon the proceedings of parliament, very scandalous and injurious to many particular members of this city; whereupon they think that it becomes them, both in tenderness of their own honour, and respect to you, to take away all those aspersions; and to let you know the truth of their proceedings, which have been full of honour and justice, as they stand in relation to their own duty; and full of humility and obedience towards his majesty, and of care for the common good, and so shall ever be: and they have commanded me to let you know the true Answer to most of those things that are imputed either to the parliament, or to the city, by observing some particulars of this book which hath been read to you; and to let you know the proceedings in their own native condition, clear from those misrepresentations which make them appear in a quality much different from the truth: which before I enter into, I am to declare, as the sense of both houses, that your Petition was so full of loyalty, humility, and obedience, that you might well have expected an Answer of another kind.—The first Observation I am to make to you is this, that it is said here, 'That his majesty 'was enforced, by tumults, to leave the parliament, and to go from Whitehall, and to withdraw himself into those courses which now 'he hath taken.' In Answer hereunto, I am commanded to tell you, That there was no occasion given by any tumults rising out of this city, or the suburbs, which might justly cause his majesty's departure; and you may very well remember, that after his violent coming to the commons house of parliament in that unusual and unheard-of manner (which was the beginning of these unhappy differences) that the very next day his majesty came into the city without any guard; that he was present in the common council, dined at the sheriffs, and returned back again, with manifold evidences of fidelity on the part of the city, and without any such expressions as were unbeseeming the majesty of a king, or the duty of subjects; that he resided divers days at Whitehall, and afterward at Hampton-Court, Windsor, and places adjoining, with small forces about him, and yet never any attempt made which might give him any apprehensions of fear; by all which it is manifest, that this is an unjust aspersion cast upon this city, that any tumultuous carriage of yours was the occasion of his majesty's leaving the parliament, and withdrawing himself to remoter parts.—It is affirmed, 'That the government of your 'city hath been managed by a few desperate 'persons, and that they do exercise an arbi-'trary power.' In answer to which, the two houses of parliament give you this testimony, That you have, in most of the great occasions concerning the government of the city, followed their direction; and that direction, which they have given, and you have executed, they must and will maintain to be such as stands with their honour in giving it, and your trust and fidelity in the performance of it.—It is objected in the third place, 'That 'Contributions have been publickly made, for 'the maintenance of that army which did join 'battle with the king, and did, by all the means 'that treason and malice could suggest, en-'deavour to take away his life, and destroy 'his issue.' To this I am commanded to say, That the design of bringing up the English armies, the gathering together of the cavaliers about Whitehall, the violent coming to the house of commons, the king's going into the North and raising armies there, are clear evidences that violence was first intended, and divers practices were made against the parliament, before they took any course, or made any preparation to take up arms for their defence; for the danger of his majesty's person they were sorry for it, and did, by divers humble Petitions, labour to prevent it; and as touching the royal issue, they have sufficiently declared to the world, their good affections towards them, by the care they have taken both for the safety and maintenance of those who are left here.—It is further expressed in this Answer, 'That the king demands the lord mayor, Mr. 'Alderman Fowke, cols. Ven and Manwaring 'to be delivered up as guilty of schism and high treason.' Concerning which I am commanded to tell you, as the sense of both houses of parliament, That this demand is against the privilege of parliament, two of them being members of the commons house; most dishonourable to the city, that the lord mayor of London should be subjected to the violence of every base fellow, be assaulted, seized on, without due process or warrant, which the law doth afford every private man; and that you should be commanded to deliver up your chief magistrate, and such eminent members of the city to the king's pleasure, only because they have done their duty in adhering to the parliament, for the defence of the kingdom; and that it is against the rules of justice, that any men should be imprisoned upon such a general charge, when no particulars are proved against them; and this you are to take notice of, as the Answer to those scandals, and to that disgrace upon my lord mayor, and the other members of the city.—And I am further to tell you, That there is little cause for his maj. to make this demand, considering that he himself doth, by force, keep away many accused in parlia-

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ment; as my lord Digby, and many more impeached of high treason, besides divers other great delinquents, that stand charged there for heinous crimes; all which, by force, are kept from due proceedings and legal trial of parliament.—It is alleged in this answer, 'That 'my lord mayor, and those other persons 'named, are countenancers of Brownists and 'Anabaptists, and all manner of Sectaries.' To this I am commanded to say, that hereof there is no proof: it doth not appear that they give any such countenance to Sectaries of any kind whatsoever; and if it did, his majesty hath little reason to object it, while, notwithstanding the profession he hath often made, 'That he 'will maintain the Protestant reformed reli-'gion,' he doth in the mean time raise an army of Papists; who, by the principles of their religion, are bound, if power be put into their hands, to destroy and utterly to root out the Protestants, together with the truth which they profess.—It is affirmed, 'That men's persons 'have been imprisoned, and their houses plun-'dered, because they will not rebel against his 'majesty.' To this I am commanded to declare, That no men's houses have been plundered by any direction of the parliament, but that they have been very careful to restrain all such violent courses, so far as they were able; and that they have never committed any man, but such as, by due information, they conceived to be seditious persons, and like to trouble the peace of the state.—It is objected further, 'That the property of the subject is destroyed, 'by taking away the 20th part by an arbitrary 'power.' To this they say, That in that Ordinance it doth not require a 20th part, but doth limit the assessors that they shall not go beyond a twentieth part; and that this is done by a power derived from both houses of parliament; the lords, who have an hereditary interest in making laws in this kingdom; and the commons, who are elected and chosen to represent the whole body of the commonalty, and trusted for the good of the people, whenever they see cause to charge the kingdom. And they say further, That the same law, that did enable the two houses of parliament to raise forces to maintain and defend the safety of religion, and of the kingdom, doth likewise enable them to require contributions, whereby those forces may be maintained; or else it were a vain power to raise forces, if they had not a power likewise to maintain them in that service for which they were raised.—And to this point I am commanded to add this further Answer, That there was little reason for this to be objected on his majesty's behalf, when it is well known that, from the subjects which are within the power of his army, his majesty doth take the full yearly value of their lands, and in some cases more; that not only particular houses, but whole towns, have been plundered by command and design; and that, by Proclamations, men are declared to forfeit all their estates, because they will not obey arbitrary commands; and this is commonly practised by his majesty, and on his part: and, therefore, there was little reason to charge the parliament with so necessary and moderate a contribution as the twentieth part.—It is declared, 'That 'the king expects to be kept from tumults and 'affronts.' Upon which I am commanded to observe, That his majesty's expressions, in his Answer, tend to the making of a division in this city, and to the raising of a party which may make some disturbances in that orderly government which is now established; both which will certainly prove, equally destructive to him and both houses of parliament; and more prejudicial to his quiet abode here, than any thing that hath ever been acted by the houses of parliament, or the present governors of the city.—They observe further, that in this Answer, 'His majesty doth profess that he 'will seize upon the estates of all that shall con-'tribute any thing towards the maintenance of 'the parliament's army, and will put them out of 'his protection; and, by his ministers in foreign 'states, will take such course that they may be 'proceeded against as enemies;' that is, destroyed and spoiled. To which the lords and commons do declare, That this is an excess of rigour and injustice beyond all example, that particular men should lose their private estates here without law or judicial proceeding; and that our prince, who owes protection to the kingdom as well as to particular persons, should suffer the wealth thereof to be robbed and spoiled by foreign states: upon due consideration whereof, they hope his majesty will be induced by better counsel to forbear the execution, than that by which he hath been persuaded to publish such a resolution.—Besides these Observations out of the Answer, I am to observe one out of a Narrative that was received from the Common-Council, that the king did declare, 'That he would send some 'messengers here to observe your carriage in 'the city, and what was done amongst you.' The parliament have just cause to doubt, that these will be messengers of sedition and trouble; and therefore desire you to observe them and find them out, and that they may know who they are.—I am, for a conclusion, to commend to your considerations, that you see, by the proceedings to which the king is drawn by the ill counsel now about him, that religion, the whole kingdom, this glorious city, and the parliament, are all in great danger; that this danger cannot be kept off, in all likelihood, but by the army that is now on foot; and that the lords and commons are so far from being frighted by any thing that is in this Answer, that they have, for themselves and the members of both houses, declared a further contribution towards the maintenance of this army; and cannot but hope and desire, that you that have shewed so much good affection, in the former necessities of the state, will be sensible of your own, and of the condition of the whole kingdom; and add to that which you have already done some further contribution, whereby this army may be maintained for all your safe-

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ties." [At the end of every period of this speech, the applause was so great, that he was fain to rest till silence was again made; and, at last, (the company ready to be dissolved) after some pause and consultation with the committee of lords and commons then present, and by their direction, silence being made, he closed all with the words following:] "Worthy citizens, you have understood the sense of both houses of parliament, concerning my lord mayor here, and those worthy members of your city, that are demanded; you have heard the parliament declare, That they will protect them in that which they have done by direction of both houses; and they expect that you should express it yourselves likewise, that if any violence be offered to them, you will secure and defend them with your uttermost force; and you shall always find, that this protection of the parliament shall not only extend to these, but to all others that have done any thing by their command."

"Which words were no sooner uttered, but the citizens, with one joint harmony of minds and voices, gave such an acclamation as would have drowned all the former, if they had been then breathing; which, after a long continuance, resolved itself into this more articulate and distinct voice, 'We will live and die with them, We will live and die with them,' and the like.—So that in the managing of this day's work, God was so pleased to manifest himself, that the well affected went away not strengthened only, but rejoicing; and the Malignants (as they have been called) some convinced, others silenced, many ashamed, it fully appearing how little power they had to answer their desires of doing mischief: whilst, instead of dividing the city, they were exceedingly united; instead of a dissipation, thousands were unexpectedly brought, as it were, into an unthought of association, to live and die in the defence of these zealous and honourable assertors of their peace and liberties: all which we may sum up in that triumph of the Man of God, In the thing wherein they dealt proudly, God was above them."

The King's Letter to the Sheriffs of London, requiring them to publish his foregoing Answer.] The ill reception the king's Answer to the City of London's Petition met with at the common-hall, occasioned his majesty to send, a few days after, the following Letter and Declaration to the Sheriffs:

"Trusty and well beloved, we greet you well; We received a Petition lately from the aldermen and common council of our City of London, by the hands of persons entrusted by them for the delivery, who found such a reception from us as well manifested our regard to that body which sent them: though we well knew by whom that Petition was framed, and where perused and examined before it was approved by those from whom it seemed to be sent, yet we were so willing to enter into a correspondence with that our city, and to receive any address and application from them, according to that invitation we had given by our late Proclamation; and were so glad to find that there was yet some hopes they would look to the peace and happiness of that city, and at last sever themselves from any faction or dependence, which might insensibly involve them in those calamities they did not foresee; that we returned such a gracious Answer thereunto, so full of candour and affection that the meanest inhabitant of that our city, if he carefully consider the same, will find himself concerned in it, and that we have had an especial care of his particular.—With this Answer of ours we sent a servant of our own, in the company of those who had been so well used here, to require and see that it might be communicated to the whole body of that our city; not doubting but that both it, and the bringer, should receive such entertainment there, as might manifest their due regard of us, and of our affection to them: but, to our great wonder, we find that, after ten days attendance, and suffering ridiculous pamphlets to be published in our name, as if we retracted our former resolutions, (which Pamphlet we have caused to be burned by the hand of the hangman, as we also require you to see done) instead of that admission we expected to our messenger and message, guards of armed men have been brought to keep our good subjects, to whom that our Answer was directed, from being present at the reading thereof; and Speeches have been made by strangers, (who have been admitted to the city councils, contrary to the freedom and custom of those meetings) to blast our said Answer, and to dishonour and slander us; which if our good subjects there shall suffer, we shall be much discouraged in our desired correspondence with that our city; and so, by the cunning and power of those incendiaries, mentioned in our Answer, alderman Pennington, (who to shew his great loyalty to us, and his fitness to be chief magistrate of such a city, being informed that a desperate person there said, 'That he hoped shortly to wash his 'hands in our blood,' refused to send any warrant, or to give any direction to any officer, for his apprehension) Ven, Fowke, and Manwaring, who have plunged that our city into such unspeakable calamities, in which they would still keep it to cure their own desperate condition, our good subjects there are not suffered to receive our gracious Answer to that Petition.—We have therefore thought fit to write these our Letters to you, requiring you the sheriffs of our said city, to take care for the publishing that our Answer (which we herewith send you) to our good subjects of that our city: and our pleasure is, that you the masters and wardens of the several companies of our said city forthwith summon all the members of your several companies, with all the freemen and apprentices (whose hopes and interests are so much blasted in these general distractions) belonging thereunto, to appear at their several halls; where you shall cause our said Answer, together with these our Letters, to be publickly

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read; that all our good subjects may clearly understand how far we have been from begetting, how far we are from continuing or nourishing, these unnatural civil dissentions; and how much it is in their own power to remove the present pressures, and to establish the future happiness and glory of that famous city; and may seriously weigh every part of that our Answer, as well that which carries caution in it for the future, as pardon for what is past: for assure yourselves, for the time to come, we shall proceed with all severity against such who shall incur the penalty of the law in those points, of which we have given them so fair a warning in our said Answer: and whosoever shall not behave himself like a good subject in this our kingdom, shall not, if we can help it, receive the benefit and advantage of being our subject in any other; but all foreign princes shall know, that as such person hath parted with his loyalty to us, so he must not hope for any security by us; and, to that purpose, we shall henceforward have a very inquisitive eye upon the actions of all our subjects, that some example may be made, how easy it is for us to punish their disloyalties abroad, who, for a time, may avoid our justice at home.—And to the end that none of our good subjects of that our city may think themselves bound to obey any of the orders or commands of the pretended lord mayor, whom we have and do still accuse of high treason, and conspiring to take our life from us, it is well known to those citizens, who understand the charter of that city, (so amply granted by our royal progenitors, and so graciously confirmed by us, and of which we presume our good subjects there do still desire to receive the benefit) that the said Isaac Pennington was never regularly elected, or lawfully admitted to the office of lord mayor of that our city; that in truth alderman Cordwell was, by the plurality of voices chosen; and that this man was never presented to, or admitted by us, in such manner as is prescribed by their charter; neither had that judge, who presumed to swear him, any more colour of law or authority to administer such an oath to him, than he hath to do the same to-morrow to any other alderman of the city: and we do therefore hereby declare the said Isaac Pennington not to be mayor of that our city of London, and to have no lawful authority to exercise the same; and that our good subjects of that our city, ought not to submit to any orders, directions, or commands, which shall issue from him as lord mayor of that our city; but that the same are void, and of none effect. And we do once more require you the sheriffs of our said city, and all other the magistrates of the same, in which all our good subjects of that city will assist you, that you cause the said Isaac Pennington, Ven, Fowke, and Manwaring, to be apprehended and committed to safe custody; that we may proceed against them as guilty of high treason, and as the principal authors of those calamities which are now so heavy upon our poor subjects of that city; which, if not suddenly remedied, will in a short time utterly confound a place and a people, lately of so flourishing an estimation in all the parts of Christendom.—And whereas we are informed, that one Brown, a woodmonger, Titchborne, a linendraper, and one Harvy, a silkman, have exercised great insolencies and outrages in that our city; and when many of our good subjects there have assembled together, in a peaceable and modest manner, to consult about the peace and welfare of that city, the said mutinous and seditious persons have presumed to lead multitudes of armed men against them; and, by such force, have beaten, wounded, and killed our good subjects: our will and pleasure is, That if the said Brown, Titchborne, and Harvy, or either of them, shall so far neglect our gracious offer of pardon, as still to engage themselves in those unwarrantable and seditious courses, you do raise power to suppress the said force; and that you, and all our ministers of justice, use your utmost means to apprehend the said persons, and to bring them to condign punishment: and we do hereby declare, That it shall be lawful for any of our loving subjects to resist and oppose the said persons, if they shall hereafter, in such a warlike manner, endeavour to molest them, as they would do rebels and traitors.—And we hope that all our good subjects of that our much-injured city of London do take notice of our grace and favour towards them, in our so freely passing by and pardoning the offences there committed against us, as we have offered by our Proclamation and our late Answer; and of our very earnest desire to be with them, and to reside amongst them for their comfort, support, and protection; if they shall, by first providing for their own security, in such manner as we have directed them in our late Answer, give us an instance that we may be safe there too; and that they do likewise observe, that, being by such violence kept from them, we have done our utmost endeavour to continue and advance the decayed trading of that our city, by permitting and encouraging all resort and traffick thither; and therefore if, by the stopping of carriages, and seizing commodities by other men, the commerce and correspondence be broken between that place and our good subjects of other counties, they will impute that mischief to the true authors of it, and look upon us only as not able to help them. Do but your duties, and this cloud, which threatens a present confusion, will quickly vanish away; and you will enjoy all the blessings of a happy nation, to the which no endeavour of ours shall be wanting. Given at our Court at Oxford, Jan. 17, 1642."

The Sheriffs having acquainted both houses of their receipt of the foregoing Letter, the several companies were forbid to assemble at their halls according to his majesty's order, and the lord mayor and sheriffs were desired to take special care to prevent the same; and

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some masters of companies, that were chief promoters in opposing this Order of parliament, were taken into custody.

The King's Reasons for adjourning the Term to Oxford.] About this time the king having issued a Proclamation for adjourning all the courts of justice, the next term, from London and Westminster to Oxford; this was thought so prejudicial to the public, that the parliament forbad the officers belonging to the said several courts to obey this Proclamation, or the king's Letters sent to the principal persons concerned in them. However, at the same time, they thought fit to send a Petition to his majesty, offering Reasons against the said removal, and praying that the king would revoke his orders therein: to this the lords received an Answer to this effect:

"His majesty hath seriously weighed the Reasons, presented unto him by both houses, to induce him to revoke his late Proclamation for the adjourning of the Term; and returns this Answer: That the lord keeper of the great seal being, in regard of his majesty's most important affairs, necessarily to attend his majesty; his majesty hath likewise appointed his high court of Chancery to be held in the place where his maj. resides; that so his subjects may have their causes determined by the supreme judge of that court: but is well content that the masters of the chancery, that are assistants to the house of peers, shall, notwithstanding his said Proclamation, continue their attendance upon that house where they are assistants.—For his Court of Wards, upon which so essential a part of his majesty's revenue depends, it concerned him to draw the same to him; since, being at London, it will prove of no advantage or supply to his maj.'s occasions, by reason of the stops there of all money from coming to him: and therefore he shall expect the presence of the council of that court here, the time of the Term being so short that they may speedily return again to the service of the houses, who have not used to deny their members leave, for so short a time, to attend his majesty's service, to which by law they are bound; besides that his maj. doubts not but he may, for a convenient time, upon pressing and urgent occasions, especially for the discharge of another necessary duty, dispense with a peer's attendance upon the house without any breach of privilege; seeing it hath not been denied in former parliaments.—For the Danger of his majesty's subjects in their passage by reason of the several armies, his majesty doth not know that they are to pass through more armies to his city of Oxford, than they must to his city of London; or that the courts of justice cannot proceed with the same freedom and liberty where his majesty's army is, as where there is an army against him; but his maj. will take care that his good subjects shall no way suffer by his army here, which he can, by no means, undertake for the other army at London.—For the Records of the several Courts, his majesty expects and requires obedience from the officers thereof, according to his Proclamation; as no doubt his subjects will take care for the particular evidences that concern themselves; and for the safe carriage and conveyance of both, that they suffer not, in the least degree, by his majesty's army, his maj. will surely provide; neither can the prejudice be great to his subjects, the courts of equity being no further removed from the courts of law.—The Reason of his majesty's adjournment of the courts of law till Crastino Purificationis, is for the great danger his good subjects must undergo by passing through the armies: and his maj. much fears his good subjects will have little benefit by their legal proceedings, whilst his maj. and the law are no better able to defend one another.—For these Reasons, and those expressed in his Proclamation, his majesty can, by no means, revoke his said Proclamation; but it being his undoubted right to adjourn or remove the terms to what place he pleases, if he hath yet any undoubted right, his maj. expects obedience to his said Proclamation and to every part thereof."

Ordinance of Parliament, forbidding Obedience to the King's Proclamation for adjourning the Term to Oxford.] This Answer of the king's was ordered to be communicated to the commons; and, a few days after, both houses passed the following Ordinance, to justify their conduct in not suffering the adjournment of the courts to Oxford.

"The lords and commons having taken into their serious consideration a Proclamation, dated at Oxford the 27th Dec. last, for the adjourning of the court of Chancery, the court of Wards and Liveries, the duchy of Lancaster, the court of Requests, the receipt of his maj.'s Exchequer, and of the First Fruits and Tenths, from the city of Westminster unto the city of Oxford; and for adjourning the courts of King's Bench, Common Pleas, and Exchequer, unto the return Crastino Purificationis, found it to tend much to the prejudice of the commonwealth to remove the said courts and receipts to Oxford, where the body of an army, raised against the parliament and the authority thereof, now resides; and therefore, in performance of the duty and trust reposed in them by the kingdom, whom they represent, did exhibit their humble Advice and Petition to his majesty, with the Reasons inducing them thereunto, to revoke the said Proclamation; and, with all humility, desired that the said courts and receipts might be kept at their several usual places and times, and not at Oxford: but his majesty, giving still more credit to the suggestions of those wicked and malignant persons that yet encompass him, than to his highest and most faithful council, returned his negative Answer, and expressly denied to repeal this Proclamation:—Now, the lords and commons clearly discovering the great inconveniences and mischiefs that necessarily must happen to his majesty's most faithful and best affected subjects, in case those courts and receipts be removed to Oxford; where such of them as

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have occasion to attend, cannot, with any safety to their persons and estates, repair; his maj. having, in effect, declared all persons that have contributed any thing in aid or defence of the parliament, and the privileges thereof, to be guilty of high treason; and, in pursuance thereof, by the force and power of the army there remaining, have seized upon many of their persons, where they are detained prisoners, and some proceeded against as traitors; having nothing laid to their charge but their assisting the parliament, and opposing that army raised to destroy it and the kingdom: and finding that divers, both judges and others, whose attendance upon the said courts and receipts will be necessary, consist of persons that are members and assistants to both houses of parliament, whose presence at this time cannot be spared; and that if the Records, necessary to be used in the said courts, should be removed from the usual places towards Oxford, in a time when two armies are residing near thereabouts, it would endanger the miscarriage of them; which might ruin many of his maj.'s subjects, whose estates depend thereupon: and that so long a distance between the said courts of law and equity, which have necessary dependance one upon another, would prove exceeding prejudicial to many, thought it their duty, in discharge of the trust reposed in them by the commonwealth, as much as in them lieth to prevent the said inconveniences: and therefore do hereby declare and order, That no judge, minister, or other person belonging to any of the said courts or receipts, shall repair to the said city of Oxford; or do or execute any thing belonging to the said offices and employments, but in places usual for the doing and executing thereof: and that no member of, or assistant to, any of the two houses of parliament, that have any place, office or employment, about any of the said courts or receipts, shall presume to depart from their attendance on parliament, without the special leave of that house whereof they are members or assistants: and that no person shall remove, or cause to be removed, any records or writings of any of the said courts or receipts to or towards the city of Oxford: and the lords and commons do declare, That if any person shall disobey this Order, they will proceed against them as wilful contemners of the authority of parliament, and disturbers of the peace of the kingdom.—And it is further declared and ordered by the said lords and commons, That no judgment, decree, order and proceedings whatsoever, that shall be given, made, or had, by or in any of the said courts or receipts, out of the usual places where the said courts and receipts have been accustomed to be held and kept, shall bind any person that shall or may be concerned therein, without his own voluntary consent: and that the said lords and commons will, by the authority of both houses, protect and keep indemnified all judges, officers, and other persons from any damage or inconvenience, that may or can happen to them for yielding obedience to this Ordinance."

The Parliament's Propositions for Peace, presented to the King at Oxford.] Feb. 1. The following Propositions were presented to the King at Oxford, by the parliament's commissioners appointed for that purpose. Their titles and names were, the earls of Northumberland, Pembroke, Sarum, and Holland; for the commons, the lords Wenman and Dungarvon, sir John Holland, sir Wm. Litton, the hon. William Pierpoint, Bulstrode Whitlocke, Edm. Waller, and Rd. Winwood, esqrs.

The HUMBLE DESIRES and PROPOSITIONS of the Lords and Commons in Parliament assembled, tendered unto his majesty, Feb. 1, 1642.

"We your majesty's most humble and faithful subjects, the lords and commons in parliament assembled, having in our thoughts the glory of God, your majesty's honour, and the prosperity of your people; and being most grievously afflicted with the pressing miseries and calamities which have overwhelmed your two kingdoms of England and Ireland, since your majesty hath, by the persuasion of evil counsellors, withdrawn yourself from the parliament, raised an army against it, and, by force thereof, protected delinquents from the justice of it; constraining us to take arms for the defence of our religion, laws, liberties, privileges of parliament, and for the sitting of the parliament in safety; which fears and dangers are continued and increased by the raising, drawing together, and arming of great numbers of papists under the command of the earl of Newcastle; likewise by making the lord Herbert of Ragland, and other known papists, commanders of great forces; whereby many grievous oppressions, rapines, and cruelties have been, and are daily exercised upon the persons and estates of your people; much innocent blood hath been spilt, and the papists have attained means of attempting, with hopes of effecting, their mischievous design of rooting out the Reformed Religion, and destroying the professors thereof. In the tender sense and compassion of these evils, under which your people and kingdom lie, (according to the duty which we owe to God, your majesty, and the kingdom for which we are trusted) do most earnestly desire that an end may be put to these great distempers and distractions, for the preventing of that desolation which doth threaten all your majesty's dominions; and as we have rendered, and still are ready to render, to your maj. that subjection, obedience, and service which we owe unto you; so we most humbly beseech your maj. to remove the causes of this war, and to vouchsafe us that peace and protection which we and our ancestors have formerly enjoyed under your maj. and your royal predecessors, and graciously to accept and grant these our most humble desires and propositions: I. That your maj. will be pleased to disband your armies, as we likewise shall be ready to disband all those forces which

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we have raised; and that you will be pleased to return to your parliament. II. That you will leave delinquents to a legal trial, and judgment of parliament. III. That the papists may not only be disbanded, but disarmed according to law. IV. That your maj. will be pleased to give your royal assent unto the bill for taking away superstitious innovations: To the bill for the utter abolishing and taking away of all archbishops, bishops, their chancellors and commissaries, deans, sub-deans, deans and chapters, archdeacons, canons, and prebendaries, and all chaunters, chancellors, treasurers, sub-treasurers, succentors, and sacrists; and all vicars choral, choiristers, old vicars and new vicars of any cathedral or collegiate church, and all other their under-officers out of the church of England: to the bill against scandalous Ministers: to the bill against Pluralities: and to the bill for Consultation to be had with godly, religious, and learned divines: that your maj. will be pleased to promise to pass such other good bills for settling of church-government, as, upon consultation with the assembly of the said divines, shall be resolved on by both houses of parliament, and, by them, be presented to your majesty. V. That your maj. having expressed, in your Answer to the Nineteen Propositions* of both houses, an hearty affection and intention for the rooting out of Popery out of this kingdom; and that if both the houses can yet find a more effectual course to disable Jesuits, Priests, and Popish Recusants, from disturbing the state or eluding the laws, that you would willingly give your consent unto it; that you would be graciously pleased, for the better discovery and speedier conviction of Recusants, that an oath may be established by act of parliament, to be administred in such manner as by both houses shall be agreed on; wherein they shall abjure and renounce the Pope's supremacy, the doctrine of transubstantiation, purgatory, worshipping of the consecrated Host, Crucifixes and Images; and the refusing the said oath, being tendered in such manner as shall be appointed by act of parliament, shall be a sufficient conviction in law of recusancy. And that your majesty will be graciously pleased to give your royal assent unto a bill for the Education of the children of Papists, by Protestants, in the Protestant Religion. That for the more effectual execution of the laws against Popish Recusants, your maj. will be pleased to consent to a bill for the true levying of the penalties against them; and that the same penalties may be levied and disposed of in such manner as both houses shall agree on, so as your maj. be at no loss. And likewise to a bill, whereby the practice of papists against the state may be prevented, and the laws against them duly executed. VI. That the earl of Bristol may be removed from your majesty's counsels; and that both he and the lord Herbert, eldest son to the earl of Worcester, may likewise be restrained from coming within the verge of the court; and that they may not bear any office, or have any employments, concerning the state or commonwealth. VII. That your maj. will be graciously pleased, by act of parliament, to settle the Militia, both by sea and land, and also the forts and ports of the kingdom, in such a manner as shall be agreed on by both houses. VIII. That your maj. will be pleased, by your letters patent, to make sir John Brampston chief justice of your court of King's Bench; Wm. Lenthall, esq. the now Speaker of the commons house, master of the Rolls; and to continue the lord chief justice Bankes chief justice of the court of Common Pleas; and likewise to make Mr. serjeant Wylde chief baron of your court of exchequer; and that Mr. justice Bacon may be continued, and serjeants Rolle and Atkins made justices of the King's Bench; that Mr. justice Reeves and Mr. justice Foster may be continued, and Mr. serjeant Pheasant made one of the justices of your court of Common-pleas; that Mr. serjeant Creswell, Mr. Samuel Brown, and Mr. John Puleston may be barons of the Exchequer; and that all these, and all the judges of the same courts for the time to come, may hold their places, by letters patent under the great seal, quamdiu se bene gesserint; and that the several persons, not before named, that do hold any of these places before mentioned, may be removed. IX. That all such persons as have been put out of the commission of peace, or oyer and terminer, or from being Custodes Rotulorum, since the first of April, 1642, other than such as were put out by desire of both or either of the houses, may again be put into those commissions and offices; and that such persons may be put out of those commissions and offices as shall be excepted against by both houses of parliament. X. That your maj. will be pleased to pass the bill now presented, to vindicate and secure the privileges of parliament from the ill consequence of the late precedent, in the charge and proceeding against the lord Kimbolton, now earl of Manchester, and the five members of the house of commons. XI. That your majesty's royal assent may be given unto such acts, as shall be advised by both houses for the satisfying and paying the debts and damages, wherein the two houses of parliament have engaged the public faith of the kingdom. XII. That your maj. will be pleased, according to a gracious Answer heretofore received from you, to enter into a more strict alliance with the states of the United Provinces, and other neighbour princes and states of the protestant religion, for the defence and maintenance thereof against all designs and attempts of the Popish and Jesuitical faction to subvert and suppress it; whereby your subjects may hope to be free from the mischiefs which this kingdom hath endured, through the power which some of that party have had in your councils, and will be much encouraged, in a parliamentary way, for your aid and assistance, in restoring your royal sister and the prince elector to those dignities and domi-

* See vol. 2. p. 1389.

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ions which belong unto them, and the relieving the other protestant princes who have suffered in the same cause. XIII. That in the General Pardon which your maj. hath been pleased to offer to your subjects, all offences and misdemeanors committed before the 10th of Jan. 1641, which have been, or shall be, questioned or proceeded against in parliament, upon complaint in the house of commons, before the 10th of Jan. 1643, shall be excepted; which offences and misdemeanors shall, nevertheless, be taken and adjudged to be fully discharged against all other inferior courts. That likewise there shall be an exception of all offences committed by any person or persons, which hath, or have, had any hand or practice in the rebellion of Ireland; which hath, or have, given any counsel, assistance, or encouragement to the rebels there, for the maintenance of that rebellion; as likewise the exception of William earl of Newcastle, and George lord Digby. XIV. That your maj. will be pleased to restore such members of either house to their several places of services and employment, out of which they have been put since the beginning of this parliament; that they may receive satisfaction and reparation for those places, and for the profits which they have lost by such removals, upon the petition of both houses; and that all others may be restored to their offices and employments, who have been put out of the same upon any displeasure conceived against them for any assistance given to both houses, or obeying their commands; or forbearing to leave their attendance upon the parliament without licence; or for any other occasion arising from these unhappy differences betwixt your maj. and both houses, upon the like petition of both houses.—These things being granted and performed, as it hath always been our hearty prayer, so shall we be enabled to make it our hopeful endeavour, that your maj. and your people may enjoy the blessings of peace, truth, and justice; the royalty and greatness of your throne may be supported by the loyal and bountiful affections of your people; their liberties and privileges maintained by your majesty's protection and justice; and this public honour and happiness of your maj. and all your dominions, communicated to other churches and states of your alliance; and be derived to your royal posterity and the future generations in this kingdom for ever."

Mr. Whitlocke, one of the commissioners abovementioned, gives us the following particulars relating to this remarkable embassy: "They had their first access to the king in the garden of Christ-Church, where he was walking with the prince, and divers other lords attending him: all of them kissed his hand, not as they were ranked in the safe-conduct, but according to their several degrees. Mr. Pierpoint before the knights, he being an earl's son; and Mr. Winwood before Mr. Whitlocke, he being the eldest knight's son; and Mr. Waller the last: the king said to him, 'Though you are the last, yet you are not the worst, nor the least in my favour.' The discovery of a Plot then in hand in London, to betray the parliament, wherein Mr. Waller was engaged with Chaloner, Tomkins, and others, which was then in agitation, did manifest the king's courtship to Mr. Waller to be for that service. After they had all kissed the king's hand, the prince gave them his hand to kiss. The earl of Northumberland read the Propositions to the king, with a sober and stout carriage; and being interrupted by the king, he said smartly, 'Your majesty will give me leave to proceed?' The king answered, 'Ay, ay,' and so the earl read them all through."

The King's Answer.] Feb. 6. The lords commissioners, at their return to the house, made the following Report of this whole proceeding; that when they presented the Propositions to the king, he made them this short Answer:

"My Lords; I was always for peace, and am more concerned in it than any, being the father of the country next under God. I cannot chuse but speak, though I thought to have said nothing. I confess I am surprized, though I have seen somewhat of this, yet I believed them not to be such as these are. They that principally contrived and penned them, had no thoughts of peace in their hearts, but to make things worse and worse; yet I shall do my part, and take as much honey out of the gall as I can. I will think of them, and take time to give you my Answer."

Two days after, the king sent for them again, and told them, That he had considered of the Propositions, presented unto him from both houses of parliament, and had returned this Answer, which he commanded the earl of Holland to read:

"If his majesty had not given up all the faculties of his soul to an earnest endeavour of a peace and reconciliation with his people, or if he would suffer himself, by any provocation, to be drawn to a sharpness of language, at a time when there seems somewhat like an overture of accommodation, he could not but resent the heavy charges upon him in the preamble of these Propositions; and would not suffer himself to be reproached with protecting of delinquents, by force, from justice; (his majesty's desire having always been, that all men should be tried by the known law, and he having been refused it) with raising an army against his parliament; and to be told that arms have been taken up against him, for the defence of religion, laws, liberties, privileges of parliament, and for the sitting of the parliament in safety; with many other particulars in that preamble, so often and so fully answered by his majesty, without remembering the world of the time and circumstances of raising those arms against him, when his maj. was so far from being in a condition to invade other men's rights, that he was not able to maintain and defend his own from violence; and without telling his good subjects that their religion, (the true Protestant religion, in which his maj.

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was born, hath faithfully lived, and to which he will die a willing sacrifice) their laws, liberties, privileges and safety of parliament, were so amply settled and established, or offered to be so, by his majesty, before any army was raised against him, and long before any raised by him for his defence; that if nothing had been desired but that peace and protection which his subjects and their ancestors had, in the best times, enjoyed under his majesty, or his royal predecessors, this misunderstanding and distance between his majesty and his people, and this general misery and distraction upon the face of the whole kingdom, had not been now the discourse of Christendom: but his maj. will forbear any expressions of bitterness, or of a sense of his own sufferings; that, if it be possible, the memory thereof may be lost to the world; and therefore, though many of the Propositions, presented to his majesty by both houses, appear to him very derogatory from, and destructive to, his just power and prerogative, and no way beneficial to his subjects; few of them being already due to them by the laws established (and how unparliamentary it is by arms to require new laws, all the world may judge); yet, because these may be waved or mollified, and many things that are now dark and doubtful in them cleared and explained upon debate, his maj. is pleased (such is his sense of the miseries this kingdom suffers by this unnatural war, and his earnest desire to remove them by an happy peace) that a speedy time and place be agreed upon for the meeting of such persons as his maj. and both houses shall appoint, to discuss these Propositions, and such others here following, as his majesty doth propose to them: I. That his majesty's own revenue, magazine, towns, forts, and ships, which have been taken or kept from him by force, be forthwith restored unto him. II. That whatsoever hath been done or published contrary to the known laws of the land, or derogatory to his majesty's legal and known power and rights, be renounced and recalled; that no seed may remain for the like to spring out of for the future. III. That whatsoever illegal power hath been claimed and exercised by or over his subjects, as imprisoning their persons without law, stopping their Habeas Corpus, and imposing upon their estates without act of parliament, &c. either by both or either house, or any committee of both or either, or by any persons appointed by any of them, be disclaimed; and all such persons so committed, forthwith discharged. IV. That as his maj. will readily consent, having done so heretofore, to the execution of all laws already made, and to any good acts to be made for the suppressing of Popery, and for the firm settling of the Protestant Religion now established by law; so he desires that a good bill may be framed for the better preserving the Book of Common Prayer from the scorn and violence of Brownists, Anabaptists, and other Sectaries, with such clauses for the ease of tender consciences as his maj. hath formerly offered. V. That all such persons as, upon the Treaty, shall be excepted out of the General Pardon, shall be tried per pares, according to the usual course and known laws of the land; and that it be left to that, either to acquit or condemn them. VI. And to the intent this Treaty may not suffer interruption by any intervening accidents, that a cessation of arms, and free trade, for all his majesty's subjects may be first agreed upon.—This offer and desire of his maj. he hopes will be chearfully entertained, that a speedy and blessed peace may be accomplished. If it shall be rejected, or by insisting upon unreasonable circumstances be made impossible, (which he hopes God in his mercy to this nation will not suffer) the guilt of the blood which will be shed, and the desolation which must follow, will lie upon the heads of the refusers. However his majesty is resolved, through what accidents soever he shall be compelled to recover his rights, and with what prosperous success soever it shall please God to bless him, that by his earnest constant endeavours to propagate and promote the true protestant religion, and by his governing according to the known law of the land, and upholding the just privileges of parliament, according to his frequent protestations made before Almighty God, which he will always inviolably observe, the world shall see that he hath undergone all these difficulties and hazards for the defence and maintenance of those; the zealous preservation of which his majesty well knows is the only foundation and means for the true happiness of him and his people."

Upon the reading of this Answer, the lords resolved to communicate it to the commons, as a matter of great and serious consideration, and to desire them to take it into their utmost care and thought.

Lord Fairfax's Letter concerning his taking of Leeds.] The following Letter, from the Lord Fairfax, in the North, was delivered to the lords, by the commons, at a conference, and read in that house on the first of this month. The Letter was addressed to the Speaker:

"Sir; It is most necessary that I continue my Relation to you of the state and condition of the Affairs in this country, that they may be made known to both houses; and provision made for succours to be sent us, which have hitherto come very slowly, though they have made large expressions of their care. We have been long destitute of money to pay the army, and to supply that want, I have used all possible industry, by taking up money upon exchange, and by calling upon the country to supply me for the present upon the public faith. The want of money doth so perplex the part of the army here, as I imagine the house will not expect any considerable matter to be done by us; though, God be thanked, the forces I send from hence, and are raised by the country in other places, are daily acting something to advance the public service. As in the North-Riding, where sir Hugh Cholm-

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ley hath carried himself very bravely, giving several defeats to the enemy near Malton; and on Monday the 16th of this month, joining his forces to sir Matthew Boynton, they fell upon col. Slingsby at Gisbrough, where they defeated him and 600 horse and foot with him, that had done much spoil in the North-Riding; they wounded and took col. Slingsby himself, with 140 other prisoners; killed a great many, and recovered 200 arms with the place. Amongst the prisoners taken by sir Hugh Cholmley at Malton, and here at Gisbrough, it is found that a great number are Papists; and indeed the strength of the enemies will be found to consist much of Papists, and popishly affected, the earl of Newcastle granting his commissions, for raising men, to Papists for the most part. I have heard, of late, of commissions granted to 12 recusants of these parts, whose names I send inclosed; and it is not to be doubted he walks the same ways in other places, as well as here; which courses have so advanced Popery, as I hear, that in York where many recusants are settled, mass is ordinarily said in every street; and such affronts offered to the Protestants and the ministry, as few dare resort to church. In other parts of the country, I am informed, that for many miles together, the religious ministry are all either fled, or imprisoned; which persecutions, if they be not timely repressed, will extirpate or much depress the Protestant religion in these parts.—About Bradford and Halifax, God hath blessed my son and those small forces with good success against the enemy, in several light skirmishes: on Monday was se'nnight, he seized on the lord Saville's house at Howley, and put about 100 musqueteers into it; and on Tuesday, I sent sir Wm. Fairfax and his officers, with some arms, to raise his regiment in those parts; and for his convoy, I sent what horse and dragooners I could spare from hence, directing them to stay with my son to assist him in his design against Leeds.—Yesternight I received letters from him, wherein he relates to me, that on Mondey last, he drew his forces out of Bradford, and marched to Leeds, where sir Wm. Saville commanded in chief; my son first summoned them by a trumpet to yield, which being refused, the assault began, wherein his men carried themselves with great resolution; for the town was fortified on all sides, furnished with two brass sakers, and manned with 1500 soldiers, yet they forced an entry in two hours fight; there were not lost on both sides above 40 men, but he took 4 colours, and 500 prisoners, of which 6 are commanders; and, with the prisoners, they took many arms, the sakers, and all the munition they had, which was not much; on our part we lost 13 men, and capt. Briggs, and capt. Lee, both sore wounded; and I perceive that in this exploit, sir Wm. Fairfax, sir Tho. Norcliffe, and serjeant-major Forbes, with the rest of the commanders, carried themselves very gallantly. The people do observe that sir Wm. Saville, and the chief commanders on the other side, soon after the fight began, fled by secret ways towards Pontefract, and their men after them by degrees. After Leeds was thus won, my son writes that he intended to have marched to Wakefield, where sir Geo. Wentworth commanded, but was prevented therein by the enemies fears; who, hearing he had taken Leeds, fled all away from Wakefield to Pontefract, and left the town; so he hath sent some forces to invest and keep that place: thus hath God blessed their endeavours on that side; and now I am told that capt. Hotham and sir John Saville are gone up yesterday with some forces into those parts, but upon what design I know not.—Yesterday morning I had some intelligence that the most part of the forces were marched, the day before, out of Doncaster; so I have sent my serj. major general with 6 companies of foot to invest that place, and to leave some forces to keep it until more strength come to us out of the Southern counties; which, if it could be hastened hither, might very much advance the cause, and crush the Popish forces before they be supplied by the queen's coming, or their party in Scotland, of which there is some expectation.—I desire you will make known to the house the great extremities that are put upon me; and that a certain course may be settled for supplying us with money for the entertainment of the army, in such season as our men may be encouraged in the service, and not fall into a way of plundering for want of pay. My son upon the taking of Leeds, though he entered it by force, yet he restrained his army from pillaging; so I have ordered that the Malignants, in lieu of the spoil challenged to be due unto the soldiers, shall give them a month's entertainment, which I hope will content both parties.—Yesternight intelligence was brought to me, that the earl of Newcastle hath drawn down all his forces from the South parts of Yorkshire, those only excepted that kept the castle at Pontefract; for yesterday he marched from Sherburne to York, with 36 colours, 2 pieces of cannon, 45 other carriages; the certain cause I do not yet know, but suppose it is to meet the arms and munition coming from Newcastle; or to prepare for the queen's entertainment at York, which is much spoken of. I shall carry a vigilant eye upon his designs, and endeavour to prevent them, so far as can be expected from the forces under the command of, Sir, &c. FER. FAIRFAX. Selby, Jan. 26, 1642."

Ordinance of Parliament in consequence of the above Letter.] After the reading of this Letter, the following Ordinance is entered in the Lords Journals:

"Whereas many and fervent prayers have been sent up to God, for his blessing to be poured down upon the endeavours of the parliament in maintenance of his own cause and religion, now openly assaulted by Papists; and because it is most just and necessary to observe the return of these prayers, that our mouths and hearts may be as much enlarged in praises as they have been in prayers, the

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lords and commons have thought fit to publish some late good successes, as so many Answers from Heaven, which God hath given to the prayers of his servants.—And whereas sundry late Declarations have shewed to the world divers informations and proofs concerning the raising of a Popish army, with an intention to subvert God's true religion professed, and by law established, in this kingdom, and to introduce Popish idolatry and superstition; that it may appear what was, before, an intention is now matter of fact, and really put in execution, a most certain and true Relation is here offered to public notice and observation; wherein it may be seen that this Popish army hath set up the open practice of their abominable idolatry in York, the second city in the kingdom; and are grown to that height of insolency, that they terrify and drive away the Protestant ministers and people from frequenting their own churches, and from the practice of their own religion; wherein they have given a pattern and pledge what they intend to do, and what must be expected from them, through the whole kingdom. The consideration hereof (whereby the most precious things in the world, God's glory and true worship, and the salvation of the souls of men, are brought into danger) ought to excite and stir up, and we are confident it will, the strongest endeavours and most united conjunctions, of all religious and well-affected Protestants and patriots, to resist and suppress those common enemies of God, in pity to their country and the commonwealth; for now it plainly appears that, however they pretend to defend the religion and the laws, yet their main intention is to establish Popery in this kingdom, and to extirpate the Protestant religion; which cannot be done without subversion of the laws, as the Papists have, almost, effected in Ireland."

A Committee of Sequestration appointed.] Feb. 3. The commons, after passing some Votes, for Sequestring the Estates, real and personal, of some particular persons, appointed a committee to consider of the sequestering and seizing the estates, real and personal, of all such persons as have been, are, or shall be, in actual war or arms against the Parliament: and to have power to appoint Sequestrators, to make allowances to such as should be employed in this service; and to use all other means thought effectual to it

Ordinance for a general Weekly Assessment.] Feb. 8. A Weekly Assessment was agreed on for the maintenance of the army; and an Ordinance was made for that purpose. These new kind of taxes bore grieviously on the citizens of London, and all those counties which were within the power of the parliament.

Votes and Resolutions relating to disbanding the King's and the Parliament's Armies.] Feb. 13. The commons sent up their Resolutions on the intended Treaty at Oxford. They told the lords, in a conference, That they agreed with them in some things, and differed in others; and offered the following Votes, of their house, to their lordships consideration: Resolved, "That this house doth concur with the Lords in their Votes, That there shall be a speedy Disbanding of both Armies; and that there should be a fixed time appointed for it. The Northern and Western armies to be first disbanded, which shall be on the 1st of March next; and the day for disbanding all the other armies, on the 10th of the same month. That a message be sent to his majesty to desire his consent for disbanding the Armies, according to the Votes of this house; and that persons shall be appointed to treat with his majesty concerning the manner of disbanding." The question being put, Whether there shall be a present Cessation of Arms, in order to the Treaty on the Propositions, before the disbanding of the armies? it passsd in the negative. Resolved, "That when his majesty shall have assented to a Disbanding, and the time and manner of it, then the time for an immediate Cessation shall be agreed on."

They also presented the following Reasons why there should be no Treaty, upon the Propositions, before disbanding:

"That a Treaty, before the Disbanding, will be ineffectual to produce such a Peace, as may secure religion against the designs of the papists to destroy it, and the prelatical party to corrupt it; or to secure the liberties of the kingdom, and the privileges of parl. against projectors and delinquents. The grounds and evidence whereof are these: 1. Because Papists, Malignants, and other Delinquents, are now in greatest power about the king; and this Treaty is like to be managed by their counsels, whose hopes and interests are built upon the breach and distemper betwixt the king and his people; whereof they having been the greatest cause, will still endeavour to hinder such a Peace, as may interrupt their own designs: Whereas if the Treaty be after the Disbanding, the authority of parliament will be more powerful to remove such impediments. 2. If the Treaty be before the Disbanding, it will not be safe for his majesty to yield to any such propositions as shall be for the suppressing of Papists and Malignants, his person being in their power; nor yet so safe for the kingdom, whilst arms are in their hands, and so great a party, both in Ireland and beyond the seas, to encourage and assist them in resisting the observance and execution of any such Treaty. 3. If the armies be once disbanded, though the Treaties should not succeed, yet the war cannot be carried on, but there will be time of mediation to take up those differences without any further shedding of blood: whereas, if the armies be on foot, upon every difference in the Treaty both sides may be provoked, with more animosity and bitterness, to refer matters to the bloody trial of the sword; and many intervening accidents may interrupt the Treaty. 4. That it will be most honourable for his majesty, and more safe for his people, that the Propositions be yielded after the Disbanding than before; for

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thereby his maj. will be freed from the imputation of granting any thing by force; which might both trench upon his honour, and weaken the validity of the things granted; and both houses will be free from that tax of unparliamentary proceedings, implied in his majesty's Answer, Of requiring new Laws by Arms. 5. That if the Treaty be before Disbanding, it will endanger, or delay, his majesty's consent to the disbanding at the time limited; for there will be the same reason, on his majesty's part, for concluding the Treaty before the disbanding, as for the beginning it; that so, if he be like to have more advantage by arms than by the Treaty, he may still have it in his power to pursue the same ends for which his force was at first raised; and all delays in that kind will make the burdens and miseries insupportable to the kingdom, by the necessary maintenance of all the armies, and other charges and mischiefs which will thereby fall upon the subject."

To these Reasons of the commons was annexed the following Resolution:—"That, forthwith after the Disbanding of both armies, this house will send a committee to attend his majesty, by an humble Treaty, to give him due satisfaction concerning the Propositions sent to them from his majesty, and those presented from them to his majesty."

These Votes, Reasons and Resolutions, were not laid before the lords till the 16th of this month, when they were quickened by another Message from the commons. The Votes and Reasons were again read; and, after debate, the lords resolved, "Not to recede from their former Votes, but to adhere to them, notwithstanding the Reasons of the commons: to have a conference with them, and acquaint them, That this house thinks it fit that the time, from the beginning of the Treaty, ought not to exceed 20 days. That the king's Propositions, concerning his magazines, towns, forts, and ships; and the Propositions of both houses for disbanding of all armies, may be first treated of. That the remote armies may be disbanded by the last day of March, or sooner if it can be: that the king's army under the command of the earl of Forth, and that under the earl of Essex, raised by parliament, may be disbanded by the 10th of April, or sooner. That there may be a present Cessation of all acts of hostility, on both sides; and that all other things may continue in the same state, without any further intercourse, or free passage, than is at present. Lastly, Because that money is necessary to maintain and support the army, the lords think fit to propose to the commons, to join with them in sending to the lord mayor of London, to call a common council the next day, to move them to advance money for the supply of the army."

Sir B. Rudyard's Speech on the Disbanding of the Armies.] Feb. 17. The debates on the disbanding, or not disbanding, the Armies before the Treaty, were this day continued in the commons; and, on two divisions, one of them 76 against 73, and the other 86 against 83, it was carried to enter upon the Treaty before Disbanding. On this day we meet with the following speech of sir Benj. Rudyard:

Sir *Benj. Rudyard* said—"Mr. Speaker;* I do verily think that the vote we have already passed, for the disbanding the armies the 1st and 10th of Feb. will find us no farther on our way than where we now are, besides the ill accidents that may happen, and so much precious time spent, as till then.—Sir, the main business is, whether we shall have a present Treaty or no. And this concerns us in all that we have, and are. Since we refused a Treaty at Nottingham, I do not find that we have gotten much ground, although our army then was fresh, full, and full paid; the people erect, bountiful and forward to the war. Now the disposition of the kingdom, for the greatest part, stands bent towards a peace: so that wheresoever the refusal, or delay of the way to it shall be fixed, the disadvantage will fall on that side. How clear soever the intentions of the house are, yet abroad it will be taken but as a shew without reality, and so it will be returned upon us.—For the Propositions; I have not known, nor heard, that all the propositions in any Treaty of importance were ever swallowed whole. If some be harsh and rough, they may be wrought and suppled by wise treaters, made fit for an acceptable agreement. If others be unpassable, they may be totally rejected. Those that are our unquestionable rights, may be so claimed, and held.—Mr. Speaker, we have already tasted the bitter bloody fruits of war, we are grown exceedingly behind hand with ourselves since we began it: if we persist, there will such a confluence of mischiefs break in upon us, as, I am afraid, will ruin the king, the kingdom, the nation; unless God be merciful to us, and do step in with a great miracle, for a little one will not serve our turn. I have long and thoughtfully expected that the Cup of Trembling, which hath gone round about us to other nations, would at length come in amongst us; it is now come at last, and we may drink the dregs of it, the worst; which God avert. There is yet some comfort left, that our miseries are not likely to last long: for we cannot fight here as they do in Germany, in that great, large, vast continent; where, although there be war in some parts of it, yet there are many other remote quiet places, for trade and tillage to support it. We must fight as in a cock-pit, we are surrounded with the sea. We have no stronger holds than our own skulls, and our own ribs, to keep out enemies; so that the whole kingdom will suddenly be but one flame. It hath been said in this house, that we are bound in conscience to punish the shedding of innocent blood: but, sir, who shall be answerable for all the innocent blood which shall be spilt hereafter, if we do not endeavour a Peace, by a speedy Treaty? Certainly God is

* From the original edition, printed for Michael Young.

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as much to be trusted in a Treaty, as in a War: it is he that gives wisdom to treat, as well as courage to fight, and success to both, as it pleaseth him. Blood is a crying sin, it pollutes a land: why should we defile this land any longer? Wherefore, Mr. Speaker, let us stint blood as soon as we can. Let us agree with our adversaries in the way, by a present, short, wary Treaty. God direct us."

Propositions from the Citizens of London, concerning raising Money, disbanding the Army, &c.] Feb. 20. New Propositions having been made to the citizens for a considerable advance of money, some of the aldermen and common-council attended the house of lords; when, being called in, they declared, "That they were sent from the lord mayor, aldermen and common council of London, to give their lordships an account of the desire of both houses for the advancement of 60,000*l.* which the common council have taken into consideration, and voted to raise it speedily, if possible it may be; and the common council have many things in agitation, which are not yet digested: but think it fit humbly to desire of their lordships, and the house of commons, some things that will give encouragement in the raising of this money, which they offer to their lordships consideration. 1. That both houses would vouchsafe to advance the raising of 60,000*l.* by their own example, and pay it into the hands of the treasurers at Guildhall, in London, to the end that the sight of it may encourage others. 2. That they may be eased in the rates of the weekly assessment, because it exceeds the proportion of the county, if it be not too late. 3. That the 3000*l.* per month, granted for defence of the city, out of the weekly assessment, may be made 4000*l.* 4. It is humbly desired that the citizens lands and houses in the country, may not be rated for the weekly assessment, so that they pay in London. 5. It is desired, in regard they are informed that divers misinformations have been made concerning the city of London by private persons, that hereafter no such credit may be given thereunto, as to be accounted the sense of the city, unless it proceeds from the court of aldermen or common-council, signified by special messengers of their own, or by their burgesses, directed by one of the said courts. 6. That it will much promote the said service, if the money assessed by virtue of divers Ordinances, be collected forthwith in London, and other parts of the kingdom, that the charge may not lie wholly upon the willing party; for that otherwise the well-affected will be either destroyed with them or for them; with them, if they should refuse as others do; or for them, by contributing, alone, to the public safety more than their estates will bear. 7. That search be made, without the liberties, in the parts adjacent, for suspected persons; and that, upon the disbanding, those that are called the King's Army may be enjoined to go to their several habitations, and not to come to London, to the disturbance of the peace, safety, and welfare of the said city, and of the good government thereof; and that during the time of the Treaty and Cessation, none of the said army may be permitted to come to the city. 8. That to prevent misapprehensions and jealousies concerning the present proceedings of both houses of parliament, about the Treaty and Cessation, and Disbanding, it is humbly prayed it may be declared, That the Resolution of both houses is the same as at the first, That nothing shall be done but that which tends to the securing the true Protestant religion, the just liberties of the subjects, and privileges of parliament. 9. It is desired that the Ordinance for the weekly Assessment may pass forthwith, for securing the reimbursement of the 60,000*l.* which otherwise, will not be raised.—The Resolutions of both houses are humbly desired herein, as an encouragement to carry on the business."

The Answer returned to these Messages was, 1. "That their lordships gave the lord mayor, &c. thanks for their readiness and care in the raising of 60,000*l.* and to let them know that their lordships hope nothing shall be done in this Treaty, but what shall be for the security of the true Protestant religion, the privilege of parliament, the just privileges of the subject, and the security of the City of London. 2. For the Ordinance for the Weekly Assessment, this house hath passed it already, and sent it to the commons; and concerning the making of 3000*l.* allowance a week to be 4000*l.* their lordships will give the best furtherance they can in it."

Letter from the E. of Essex concerning a Cessation.] Feb. 21. The lords had sent a copy of the Votes of both houses concerning the Cessation, &c. to the earl of Essex, their general; at the same time desiring his opinion and advice about them; to which the general returned the following Answer, addressed to their Speaker:

"My lord; I must acknowledge the obligation I have to the lords, that they desire my advice about the particulars concerning a Cessation. My lord; if I had known of it before it had been voted, I should have clearly delivered my opinion, and then submitted myself and it to your lordships greater wisdoms; but, my lord, now I know my duty. The arms you have raised are so dispersed, and so many difficulties in it, that it is too great a burthen for me to undertake to deliver my opinion; not doubting but that your lordships, in your grave wisdoms, have weighed all the inconveniences that may happen to your servants employed by you, during this Cessation, and the ways how to prevent them, before you voted the Cessation. My lord, if I knew how to give a clear answer to a business I am so great a stranger to, having been at none of the debates, I should shew my obedience to their commands. I am, &c. ESSEX. Windsor, Feb. 20. 1642."

The King's Message concerning a Cessation.] After this the house being informed that one

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Mr. Wm. Murray was without, with a Letter from the King to the Speaker, his lordship was appointed to receive it; which contained only a command to read the following Message in the house, and afterwards to communicate it to the commons:

"C. R. Whereas his majesty hath, together with a Treaty proposed a Cessation of arms to both his houses of parliament, now 16 days since, to which, as yet, he hath received no Answer: to the end that his maj. may so clearly understand the houses, that no such imputations, as have been formerly, may after be laid upon him, upon occasion of any thing that may intervene; his maj. desires, if a Cessation shall be approved of by them, that the day upon which the Cessation is thought fit to begin, and such particular limits and conditions of that Cessation as are necessary to be understood and agreed on before the Cessation itself can actually begin, be proposed by them at the same time, with their approbation of it; since, as his maj. supposes by the present great preparation of several forces of the earl of Essex to march several ways, that till such time as this be done, they do not conceive themselves obliged to an actual Cessation: so neither, till then, doth his maj. conceive himself obliged to it."

Hereupon the lords resolved to have a conference with the commons, and to communicate this Message and the earl of Essex's Letter to them; and to desire that a committee of both houses may be appointed to consider in what manner, and what limitations, the Cessation of Arms may proceed in, and how to be carried on.

The Parliament's Articles of Cessation.] Feb. 28. The following Articles to be sent to the king for a Cessation of Arms, before the intended Treaty began, were perfected, read, and agreed to by both houses:

"Whereas the lords and commons in parliament, out of a tender sense of the present miseries and distractions of the kingdom, and for the obtaining and settling of a happy peace between his majesty and his people, have humbly presented his majesty divers Propositions, to which he hath been pleased to make this return; 'That his desire was, that a speedy 'time and place might be appointed for the 'discussing of those Propositions, and likewise 'some others proposed by his majesty.' It is thereupon agreed in both houses, that a committee shall be appointed to attend his majesty, on or before the 4th of March, if his majesty shall so please, to endeavour to give him all humble and fit satisfaction concerning the said Propositions, both his majesty's and their own.—And whereas, for the more speedy removal of the bloody and miserable effects of war, his maj. hath likewise been graciously pleased, by a late Message, to signify his desire, 'That, for 'avoiding all intervening accidents of war, 'which might interrupt this Treaty, there might 'be a Cessation of Arms, under such particular 'conditions and limitations as should be agreed 'on:' their humble desires therein concurring with his majesty, it is, by them, assented and agreed, That a Cessation of Arms, in order to such a Treaty as is resolved upon by both houses, may be injoined to all the armies and forces now on foot in the kingdom of England and dominion of Wales, on either side, under the restrictions and limitations hereafter following; and that neither side shall be bound and limited by this Cessation, in any otherwise, or to any other purpose, than is hereafter expressed. I. That all manner of arms, ammunition, victuals, money, bullion, and all other commodities, passing without such a Safe-Conduct as may warrant their passage, may be staid and seized on, as if no such Cessation were agreed on at all. II. That all manner of persons, passing without such a Safe-Conduct as is mentioned in the Article next going before, shall be apprehended and detained, as if no such Cessation were agreed on at all. III. That his majesty's forces in Oxfordshire, shall advance no nearer to Windsor than Wheatly; and, in Buckinghamshire, no nearer to Aylesbury than Brill; and that, in Berkshire, the forces respectively shall not advance nearer the one to the other than now they are; that the parliament forces in Oxfordshire shall advance no nearer to Oxford than Henley; those in Buckinghamshire, no nearer to Oxford than Aylesbury; that his majesty's forces shall take no new quarters above 12 miles from Oxford, any way; and that the parliament forces shall take no new quarters above 12 miles from Windsor, any way. IV. That no siege shall be begun, or continued, against Gloucester; and that his majesty's forces, now employed in the siege, shall return to Cirencester and Malmsbury, or to Oxford, as shall be most for their conveniency: that the parliament forces which are in Gloucestershire shall remain in the cities of Gloucester, Bristol, and the castle and town of Berkley; or retire nearer to Windsor, as they shall see cause; and that those of Wales, which are drawn to Gloucester, shall return into their quarters, where they were before they drew down to Gloucestershire. V. That in case it be pretended on either side, that the Cessation is violated, no act of hostility is immediately to follow; but, first, the party complaining is to acquaint the lord-general on the other side, and to allow 3 days, after notice given for satisfaction: and in case satisfaction be not given or accepted, then 5 days notice to be given before hostility begin: and the like to be observed, in the remoter armies, by the commanders in chief. Lastly, That all other forces in the kingdom of England, and dominion of Wales, and not before-mentioned, shall remain in the same quarters and places, as they are at the time of the publishing of this Cessation, and under the same conditions as are mentioned in the Articles before; and that this Cessation shall not extend to restrain the setting forth, or employing, of any ships for the defence of his majesty's dominions.—All which they humbly desire his majesty will be pleased to ratify and confirm,

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and that this Cessation may begin upon the 4th of March next, or sooner if it may be, and continue until the 25th of the same month; and, in the mean time, to be published to the commanders, officers, and soldiers, and all other his majesty's loving subjects on either side; and that the Treaty, intended, may commence upon the 4th of March next, or sooner if it may be; and the continuance thereof not to exceed 20 days."

The King's Articles of Cessation.] March 6. The lords received an Answer from the king to their Articles of Cessation, as follows:

"His majesty hoped the Treaty would have been begun, and the Cessation agreed on long since; and that much might, in this time, have been concluded in order to the peace and happiness of the kingdom; but since, in almost a month (for his majesty's Propositions were made on the 3rd of Feb. and he heard not, since, from both houses till the 1st of March) no consent hath been yielded to it, he conceives the Cessation cannot begin so soon as the 4th of this month; by which time (though his majesty uses no delay in making his Answer) the same can hardly be returned to them; and many of the Articles now presented to him from both houses concerning the Cessation, are so strict, that such of his good subjects, who are not of his army (and for whom, generally, he shall always have a principal, just, and compassionate regard) receive not any benefit, or are restored to any liberty thereby, which his maj. shall ever insist upon; (when in matters merely concerning himself, he may descend to easier conditions) and which he hath returned with such alterations, as he doubts not both his houses will consent to; and do sufficiently manifest how solicitous his maj. is for the good of his people, and how desirous he is that, in this unnatural contention, no more blood of his subjects may be spilt, (upon which he looks with much grief, compassion, and tenderness of heart) even of those who have lifted up their hands against him: and his maj. therefore desires (against which he can imagine no objection can be made) That the Cessation may begin upon the 12th of this month, or sooner, if the conditions of the Cessation shall be sooner agreed on, and is willing the same shall continue for 20 days; in which time he hopes by the Treaty, and a clear understanding of each other, a full peace and happiness may be established throughout the kingdom. And, during that time, his maj. is willing that neither side shall be bound or limited by this Cessation in any otherwise, or to any other purpose, than is hereafter expressed. I. That all manner of arms, ammunition, money, bullion, and victuals, passing for the use of either army, without a pass or safe-conduct from the generals of each army, may be stayed and seized on, as if no Cessation was agreed on at all. II. That all officers and soldiers of either army, passing without such licence or safe-conduct as aforesaid, may be apprehended and detained, as if no such Cessation was agreed on at all: and that all manner of persons, his majesty's subjects, of what quality or condition soever (except officers and soldiers of either army) shall pass to and from the cities of Oxford and London, and back again at their pleasures, during this Cessation; as likewise to and from any other parts of his majesty's dominions, without any search, stay, or imprisonment of their persons, or seizure and detention of their goods or estates; and that all manner of trade, traffick, and commerce be free and open between all his majesty's subjects, excepting, as aforesaid, between the officers and soldiers of either army; or for arms, ammunition, money, bullion, or victuals, for the use of either army, without a pass or safe-conduct as aforesaid; which may be a good beginning to renew the trade and correspondence of the kingdom, and whereby his good subjects may be restored to the liberty and freedom they were born to, and have so happily enjoyed till these miserable distractions; and which, even during this war, his maj. hath, to his utmost, laboured to preserve; opening the way, by most strict Proclamations, to the passage of all commodities, even to the city of London itself. III. That his majesty's forces in Oxfordshire shall advance no nearer to Windsor than Wheatley; and, in Buckinghamshire, no nearer to Aylesbury than Brill; and that in Berkshire, the forces respectively shall not advance nearer the one to the other than they shall be at the day to be agreed upon for the Cessation to begin; and that the forces of the other army in Oxfordshire, shall advance no nearer to Oxford than Henley, and those in Buckinghamshire no nearer to Oxford than Aylesbury; and that the forces of neither army shall advance their quarters nearer to each other than they shall be upon the day agreed on for the Cessation to begin, otherwise than in passage and communication between their several quarters respectively, without any acts of hostility to each other; but may enlarge themselves within their own quarters respectively, as they shall find convenient. IV. That the forces of either army in Gloucestershire, Wiltshire, and Wales, as likewise in the cities of Gloucester and Bristol, and the castle and town of Berkley, shall be guided by the rule expressed in the latter part of the precedent Article. V. That in case it be pretended on either side, That the Cessation is violated, no act of hostility is immediately to follow; but first the party complaining is to acquaint the lord-general on the other side, and to allow 8 days, after notice, for satisfaction; and in case satisfaction be not given or accepted, then 5 days notice to be given before hostility begin: and the like to be observed in the remoter armies by the commanders in chief. VI. That all other forces in the kingdom of England and dominion of Wales, not before mentioned, shall remain in the same quarters and places, as they are at the time of publishing this Cessation, otherwise than in passage and communication between their several quarters, as is mentioned in the

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latter part of the 3rd Article: and that this Cessation shall not extend to restrain the setting forth, or employing, any ships for the defence of his majesty's dominions; provided that his maj. be first acquainted with the particulars, and that such ships as shall be set forth be commanded by such persons as his maj. shall approve of. Lastly, "That, during the Cessation, none of his majesty's subjects be imprisoned, otherwise than according to the known laws of the land; and that there shall be no plundering or violence offered to any of his subjects. And his maj. is very willing, if there be any scruples made concerning these propositions and circumstances of the Cessation, that the committee for the Treaty, nevertheless, may immediately come hither, and so all matters concerning the Cessation may be here settled by him."

The King grants a Safe-Conduct to all the Parliament's Commissioners except the Lord Say.] At the same time came a letter of Safe-Conduct for all the parliament's commissioners, except the lord Say. The king's reasons for objecting to the last were, "That his lordship was excepted against, by name, in his Proclamation, at Oxford, of the 3d Nov. and by writ to the sheriff proclaimed then in that county; in which his majesty's intention is declared to proceed against him as a person guilty of high treason; and so falling to be within the case of sir John Evelyn, who, upon the same exception, was not admitted to attend his maj. with the rest of the committee, at Colebrooke, in Nov. last; yet his maj. did signify, that in case the house shall think fit to send any other person in the place of the lord Say, who is not included in the like exception, his maj. hath commanded all his officers, soldiers, and other subjects to suffer him as freely to pass and repass, as if his name had been particularly comprised in the Safe-Conduct."

With these objections to the lord Say came also the following Message relating to the Cessation:

"His majesty is content that his Proposition concerning the magazines, forts, ships, and revenue, and the Proposition of both houses for the disbanding of the armies, shall be first treated of, and agreed of before the proceeding to treat upon any of the other Propositions; and that, afterward, the second of his majesty's, and the second of theirs be treated on and agreed of, and so on in the same order; and that, from the beginning of the Treaty, the time may not exceed 20 days; in which, he hopes, a full peace and right understanding may be established throughout the kingdom."

After the reading of these matters in the house of lords, the lord Say stood up and said, "That he never heard of this Proclamation before; what he did was in obedience to the commands of the parliament, for the settling of the county of Oxford in quietness and security; and if he shall be proclaimed a person guilty of high treason, for doing his duty to the commands of parliament, it will be a case worthy their lordships consideration, as a thing which much concerns the privileges of parliament: but, for his part, rather than the Treaty and Cessation of arms, for obtaining a happy peace between the king and kingdom, should be hindered, he desired the lords to give him leave to attend this house, and dispense with his going on the service." But the lords, conceiving this precedent trenched on the essential proceedings of parliament, left it freely to the lord Say, either to go or stay as he shall think proper."

The King's Articles of Cessation sent to the Earl of Essex.] March 7. A message came up from the commons, with their thoughts on the king's last Articles for a Cessation, 'That since the parliament had, before, sent committees to consult with the lord-general about them, they think it fit that the same committee may be sent again to acquaint him with it, and desire his advice therein.' Upon which the lords Fielding and Hunsdon were sent to the lord general for that purpose. On the 9th, these lords reported to the house the effect of their embassy to the earl of Essex, 'That he had called a council of war to his assistance; and, upon due consideration of the king's Articles, they offered some inconveniences which might ensue by accepting the same.'—A message was then sent to the commons, to communicate this Advice of the lord general to them, and to desire that the select committees of both houses, appointed to consider of the king's Answer touching the Articles of the Cessation, may meet and take this Paper, sent from my lord general, into consideration; and prepare what they conceive fit to be done thereupon.

The Commons receive Advice of Prince Rupert's intending to assault Bristol.] A message was this day brought from the commons, desiring a present conference, touching some intelligence they had received from their lord general; which was agreed to. The Speaker reported, "That, at this conference, the commons acquainted their lordships with letters received from sir Robert Cook, to let them know that prince Rupert is within 4 miles of Bristol, and intends to assault that city: upon this the lord general intends, to-morrow, to march out from Windsor with the whole army; but desires there might be some course taken to furnish and supply money and victuals; for the effecting hereof the commons have made some Votes, wherein they desire their lordships concurrence." The Votes were then read as follows: 1. "That this house doth approve of the lord general's resolutions to march; and that thanks be given unto him for his care of the safety of the kingdom. 2. That the lord mayor be desired, that a common council be called to meet to-morrow; and that a committee of both houses may go thither; and that a supply of money, and other assistance, may be propounded and desired for the important service of the army now to march." Both these Votes were agreed to by the lords. Next

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it was reported, "That the commons have received some letters from the North, by which it seems there is some difference amongst the officers which command in chief there; whereupon the commons have passed some Votes, wherein they desire their lordships concurrence, viz. 1. That letters be sent to the lord lieutenants and deputy lieutenants of the counties of Lincoln, Nottingham, and Derby, to send what forces they can, with all convenient speed, to the lord Fairfax. 2. That the lord Fairfax shall be desired to go in person, if he can, with the best strength he hath, to the aid of capt. Hotham, in the East-Riding of York; if not, to send 1000 foot at least, or more, if he can spare them, to oppose the army under the command of the earl of Newcastle; and that the committee for the safety of the kingdom do prepare these letters." The lords agreed to both these Votes also.

The Parliament's Ships fire upon the Queen's Lodgings.] March 10. The lords were informed of a report that some ships, set out by the parliament, had shot at the house where the queen lodged, after she had landed at Bridlington, in Yorkshire, and had killed a man very near her majesty. Lord Clarendon gives us the following particulars of this affair: "About the middle of Feb. the queen took shipping from Holland, in a States man of war, assigned by the prince of Orange, with others for her convoy, and arrived safely in Bridlington bay, where she had the patience to stay on shipboard, at anchor, the space of two days, till the earl of Newcastle had notice to draw such part of his forces that way, as might secure her landing, and wait on her to York; which he no sooner did, but her maj. came on shore; and, for the present, was pleased to refresh herself in a convenient house upon the very key, where all accommodations were made for her reception. The second day after her landing, Batten, vice-admiral to the earl of Warwick, (who had waited to intercept her passage) with 4 of the king's ships, arrived in Bridlington road; and, finding that her maj. was landed, and that she lodged upon the key, bringing his ships to the nearest distance, being very early in the morning, discharged above 100 cannon (whereof many were laden with cross bar-shot) for the space of 2 hours upon the house where her majesty was lodged; whereupon she was forced out of her bed, some of the shot making way through her own chamber, and to shelter herself under a bank in the open fields; which barbarous and treasonable act, (says his lordship) was so much the more odious, in that the parliament never so far took notice of it as to disavow it."—This last circumstance is confirmed by the Lords Journals, in which we find, That though that house ordered, That the earl of Warwick be desired to examine the truth of this business, and certify it to their house, when their lordships would take it into further consideration; yet nothing more was done upon it: but we are told in the Commons Journals, That it being suspected the ships which brought over the queen, then lying before Bridlington, had some design upon Hull, a letter was ordered to be sent to the earl of Warwick, to send some ships from his squadron, which might prevent any mischief from that quarter. Her majesty shortly after removed to York, where she had been many weeks expected.

The Parliament's Articles for a Cessation as altered by Advice of the E. of Essex.] March 17. The Articles for a Cessation being finished and agreed to on both sides, they were ordered to be sent to the king by their commissioners, with full instructions how to act in this Treaty. The Articles for a Cessation, as altered by the Advice of the earl of Essex were as follows:

"The lords and commons in parliament, being still carried on with a vehement desire of peace, that so the kingdom may speedily be freed from the desolation and destruction wherewith it is like to be overwhelmed if the war should continue, have, with as much expedition as they could, considered of the Articles of Cessation, with those Alterations and Additions offered by his majesty, unto which they are ready to agree in such manner as is expressed in these ensuing Articles, viz. I. That all manner of arms, ammunition, victual, money, bullion, and all other commodities, passing without a Safe-Conduct from the generals of both armies, as well of his majesty's as of the armies raised by the parliament, may be stayed and seized on, as if no such Cessation were agreed on at all. II. That all manner of persons, passing without such a Safe-Conduct, shall be apprehended and detained, as if no such Cessation were agreed on at all. III. That his majesty's forces in Oxfordshire shall advance no nearer to Windsor than Wheatley; and, in Buckinghamshire, no nearer to Aylesbury than Brill; and that, in Berkshire, the forces respectively shall not advance nearer the one to the other than they shall be at the day to be agreed on for the Cessation to begin: and that the forces of the other army, raised by the parliament, shall advance no nearer to Oxford than Henley, and those in Buckinghamshire no nearer to Oxford than Aylesbury; and that the forces of neither army shall advance their quarters nearer to each other than they shall be upon the day agreed on for the Cessation to begin. IV. That the forces of either army in Gloucestershire, Wilts, and Wales, as likewise in the cities of Gloucester and Bristol, and the castle and town of Berkley, shall be guided by the rule expressed in the latter part of the preceding Article. V. That in case it be pretended on either side, That the Cessation is violated, no act of hostility is immediately to follow; but, first, the party complaining is to acquaint the lord general on the other side, and to allow 3 days after notice given for satisfaction; and, in case satisfaction be not given or accepted, then 6 days notice to be given before hostilities begin; and the like to be observed in the remoter armies by the commanders in chief. VI.

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That all other forces in the kingdom of England and dominion of Wales, not before-mentioned, shall remain in the same quarters and places as they are at the time of the publishing of this Cessation, and under the same conditions as are mentioned in the Articles before: and that this Cessation shall not extend to restrain the setting forth, or employing of, any ships for the defence of his majesty's dominions. VII. That as soon as his maj. shall be pleased to disband the armies, which both houses earnestly desire may be speedily effected, and to disarm the papists according to law; the subjects may then enjoy the benefit of peace in the liberty of their persons, goods, and freedom of trade; in the mean time, the generals and commanders of the armies of both sides shall be enjoined to keep the soldiers from plundering; which the two houses have ever disliked and forbidden. And for the speedy settling of this so much desired Peace, they have thought good to send their Committees with Instructions, That, if his maj. be pleased to consent to a Cessation, so limited and qualified, they may forthwith proceed to treat upon the Propositions; and because the time is so far elapsed in these preparations, they desire the Cessation may begin the 25th of this instant March, or sooner if it may be; and, in the mean time, notice to be given to all the forces in the several and remote parts; and the commanders, officers, and soldiers are enjoined to observe this Cessation accordingly; to which they hope and pray that God will give such a blessing, that thereupon, peace, safety, and happiness may be produced, and confirmed to his maj. and all his people."

INSTRUCTIONS, agreed on by the Lords and Commons in Parliament, for Algernoon earl of Northumberland, William lord Viscount Say and Sele, Wm. Pierpoint, esq. sir William Armyn, bart. sir John Holland, bart. and Bulstrode Whitlocke, esq. Committees appointed to attend his Majesty upon the Propositions made by his Majesty to the Parliament, and likewise upon the other Propositions humbly presented from them to his Majesty:

"I. You shall present to his majesty the Articles agreed on for the Cessation of Arms, humbly desiring his majesty to ratify and confirm the same under the great seal; which being obtained, you are to send it up to the parliament with all possible speed: and shall likewise beseech the king to dispatch away messengers to the generals, commanders, and soldiers of all his armies and forces, with a strict command and injunction, that they observe those Articles of Cessation, according as they are agreed upon; as the two houses likewise intend to give the like direction to the lord general of the armies raised for their defence. II. After his maj. hath declared and ratified the Cessation, you shall then proceed to the Treaty, beginning with the first Proposition on his majesty's behalf, concerning his majesty's own revenue, his magazines, towns, forts, and ships, and thereunto make this Answer: You shall declare, That the two houses of parliament have not made use of his majesty's own revenue, but in a very small proportion; which, for a good part, hath been employed in the maintenance of his majesty's children, according to the allowance established by himself; and they will satisfy what shall remain due to his maj. of those sums received out of his majesty's own revenues, and shall leave the same to his maj. for the time to come. And you likewise shall propound to his majesty, That he will restore what hath been taken for his use, upon any of the bills assigned to other purposes by several acts of parliament, or out of the provision made for the war of Ireland:—That they will remove the Garrisons out of all towns and forts in their hands, wherein there were no garrisons before these troubles, and slight all fortifications made since that time; which towns and forts, it is to be agreed on both parts, shall continue in the same condition they were in before; and that those garrisons shall not be renewed, nor the fortifications repaired, without consent of his maj. and both houses of Parliament: That for those Town and Ports which are within the jurisdiction of the Cinque-Ports, they shall be delivered up into the hands of such a noble person as his maj. shall appoint to be Warden of the Cinque-Ports, being such a one as they shall confide in: That the Town of Portsmouth shall be reduced to the number of the garrison, as was at the time when the lords and commons undertook the custody thereof: and such other forts, castles, and towns as were formerly kept by garrisons, as have been taken by them into their care and custody since the beginning of these troubles, shall be reduced to such proportion of garrison as they had in the year 1636, and shall be so continued: and that all the said towns, forts, and castles shall be delivered up into the hands of such persons of quality and trust, to be likewise nominated by his majesty, as the two houses shall confide in: That the Warden of the Cinque-Ports, and all governors and commanders of towns, castles, and forts, shall keep the same towns, castles, and forts respectively, for the service of his maj. and the safety of the kingdom; and that they shall not admit into any of them any foreign forces raised without his majesty's authority and consent of the two houses, and they shall use their uttermost endeavours to suppress all forces whatsoever, raised without such authority and consent; and they shall seize all arms and ammunition provided for any such forces:—That the Ships shall be delivered into the charge of such a noble person as his maj. shall nominate to be lord high admiral of England, and the two houses confide in; who shall receive the same office by letters patent quamdiu bene se gesserit; and shall have power to nominate and appoint all subordinate commanders and officers, and have all other powers appertaining to the office of

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high admiral; which ships he shall employ for the defence of the kingdom against all foreign forces whatsoever, and for the safeguard of merchants, securing of trade, the guarding of Ireland, and the intercepting of all supplies to be carried to the rebels; and shall use his uttermost endeavour to suppress all forces which shall be raised by any person without his majesty's authority, and consent of the lords and commons in parliament; and shall seize all arms and ammunition provided for supply of any such forces: That all the arms and ammunition, taken out of his majesty's magazines, which shall remain in their hands, shall be delivered into his stores; and whatsoever shall be wanting, they will, in convenient time, supply in kind, according to the proportions which they have received; and that the persons, to whose charge those public magazines shall be committed, being nominated by his maj. shall be such as the lords and commons shall confide in. And you shall propound to his maj. That he will restore all such arms and ammunition as have been taken for his use, from the several counties, cities, and towns.—III. To the Proposition made by the two houses, concerning the Disbanding of the Armies, you shall humbly desire his majesty's speedy and positive Answer; unto which if he shall be pleased to give his assent, you shall then beseech his majesty, in the name of both houses, that a near day may be agreed upon for the disbanding all the forces in the remote parts of Yorkshire, and the other Northern counties; as also in Lancashire, Cheshire, and in the dominion of Wales, and in Cornwall and Devonshire; and they being fully disbanded, another day may be agreed on for the disbanding of all forces in Lincolnshire, Nottinghamshire, Leicestershire, and all other places except at Oxford and the quarters thereunto belonging, and Windsor and the quarters thereunto belonging; and that, last of all, a speedy day be appointed for the disbanding those two armies at Oxford and Windsor, and all the forces members of either of them:—That some officers of both armies may speedily meet to agree of the manner of the Disbanding; and that fit persons may be appointed by his maj. and the parliament, who may repair to the several armies, and see the disbanding put in speedy execution accordingly:—That his maj. do likewise remove the Garrisons out of Newcastle, and all other towns, castles, and forts, where any garrisons have been placed by him since these troubles; and that the fortifications be likewise slighted, and the towns and forts left in such state and condition as they were in the year 1636: and That all other Towns, Forts, and Castles, where there have been formerly garrisons before these troubles, be committed to the charge of such persons, to be nominated by his majesty, as the parliament shall confide in, and under such instructions as are formerly mentioned.—IV. That if his maj. shall be pleased to assent to these Propositions, concerning the towns, forts, castles, magazines, and ships, that then his maj. be humbly intreated to name persons of quality to receive the charge of the several offices and forts, castles and towns, to be forthwith certified to the two houses, that thereupon they may express their confidence in those persons, or humbly beseech his maj. to name others; none of which persons shall be removed, during 3 years next ensuing, without just cause, to be approved by parliament; and if any be so removed, or shall die within the said space, the person to be put into the same office shall be such as both houses shall confide in:—That all Generals and Commanders in any of the armies, on either side, as likewise the lord admiral of England, the lord warden of the Cinque-Ports, all commanders of any ships, and commanders of any town, castle, or fort, shall take an oath to observe these Articles aforementioned; and to use their uttermost power to preserve the true reformed Protestant religion, and the peace of the kingdom, against all foreign force, and all other forces raised without his majesty's authority and consent of the two houses.—V. You shall move his majesty, That for the better dispatch of the Treaty, and the free intercourse of Instructions and Advertisements betwixt the two houses of parliament and the committee, that there may be a free pass of messengers to and from the parliament and the committees, without search or interruption; and his majesty's safe-conduct to be obtained to that effect, to such persons as are, or shall be, appointed for that service, viz. Mr. John Rushworth, Mr. Michael Welden, Mr. John Corbet of Gray's Inn, and Mr. James Standish."

Letters from the Commissioners at Oxford, to the Parliament.] March 23. The lords read a Letter from the earl of Northumberland to the Speaker, in these words:

"My lord; As soon as we came hither, between 4 and 5 o'clock in the afternoon, we sent to know his majesty's pleasure when we shou d wait on him, who commanded us presently to attend him, which we did in the garden at Christ-Church; where I read the Articles for the Cessation, and we humbly presented them to the king, who read the title of them himself, and said, 'There was a difference in them from the Articles which he sent to both houses; and told us, before he should be many hours older, he would give his Answer to them;' Your lordship's, &c. A. NORTHUMBERLAND. Oxford, March 19. 1642."

Besides the foregoing, there was another Letter from this earl, of a later date, read the same day, directed as before:

"My lord; This afternoon my lord Falkland and Mr. Secretary Nicholas came to us, with a Message from his majesty, to know 'Whether, in case he would not agree to the Articles of Cessation, in terminis, that we had any commission to proceed in the Treaty upon the Propositions?' I answered, 'We had not.' The council have met often, and sat long, since the delivery of the Articles of Cessation. Mr.

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May came to us from his majesty, and said he was sent with a Message to both houses of parliament; the contents he was commanded to let us know, which were, 'That his maj. desired free trade with the limitations he formerly sent; and that there might be a Cessation by sea as well as by land. That, because there might be a misunderstanding of expressions, we might have power to treat on the Articles of Cessation; if not, That the Treaty, upon the Propositions, might go on without a Cessation; and that all prisoners taken in war, except officers, might be set at liberty.' This is the information he gave us. Your lordships, &c. A. NORTHUMBERLAND. Oxford, March 22, 1642."

The King's Exceptions to the Parliament's last Articles of Cessation.] These Letters being produced at a conference, they were found to correspond, verbatim, with others the commons had received from their commissioners at Oxford. At this conference, also, a letter was read, directed to the Speaker of the house of lords, from the lord Falkland, in which was inclosed a Message from the king, to both houses, concerning the Cessation, dated at Oxford, March 22, in these words:

"C. R. His majesty hath immediately, upon the irarrival, admitted the committee sent to him from both houses of parliament, (as the messengers of peace) to his royal presence, and received the Articles of Cessation brought by them; which are, in effect, the same his maj. formerly excepted to, though their expression in the preface to these Articles, of their readiness to agree to those Alterations and Additions offered by his majesty, in such manner as is expressed, made him expect to have found, at least, some of the real Alterations and Additions made by him admitted; which he doth not discover. I. His majesty desired, 'That provision might be made, and licence given to his good subjects, for their freedom of Trade, Traffick, and Commerce, (though, in matters which concerned himself more immediately, as in arms, ammunition, money, bullion, and victuals for the use of his army, and the passage of all officers and soldiers of his army, he is contented the restraint should be in such manner as was proposed) of which his maj. is so tender, that as he hath provided for the same by his gracious Proclamations, so he doth daily release and discharge such merchandize and commodities, as are, contrary to those Proclamations stayed by any of his majesty's forces.—To this Freedom and Liberty of his good subjects, there is not the least admission given by these Articles; so that they have not any ease or benefit by this Cessation; which his maj. desires both houses to consider of; and whether, if his maj. should take the same course to stop and interrupt the trade of the kingdom, as the other army doth, a general loss and calamity would not seize upon his good subjects? II. His majesty, to the end that a full Cessation might be as well at sea as at land, and he might be secured that the ships, proposed to be set forth for the defence of his majesty's dominions, should be employed only to that end and purpose, desired, 'That they might be put under the command of persons to be approved of by his majesty;' which is not consented to by these Articles; but their former, to which his maj. excepted, strictly and entirely insisted on; by which (besides that part of hostility remains) the conveying of any number of forces from one part to any other, by that means, remains free to them. III. For the prevention of any inconveniences which might arise upon real differences, or mistakes upon latitude of expression: (as if his majesty should now consent to these Articles proposed, in the terms proposed, he must confess the army, of which he complains, to be raised by the parliament; and either himself to be no part of the parliament, or himself to have raised that army) and for prevention of that delay which he foresaw could not otherwise be avoided, if, upon every difference, the question must be remitted to London, his maj. desired, 'That the committee, for whom he 'then sent a safe-conduct, might have liberty 'to debate any such difference and expressions, 'and reconcile the same, that all possible ex-'pedition might be used to the main Treaty.'—In this point of so high concernment, no power is given in these Articles; and the committee confessed to his maj. they have no power given, but are strictly and precisely bound to the very words of the Articles now sent; and that, before these are consented to by us, they cannot enter into any Treaty concerning the other Propositions. IV. His maj. desired, 'That during the Cessation, none of his good 'subjects might be imprisoned, otherwise than 'according to the known laws of the land.'—This is in no degree consented to, but the privilege and liberty, to which they were born, reserved from them till the disbanding of both armies, though they are no part of either army; and so have no benefit by this Cessation. V. His maj. desired, 'That, during this Cessation, 'there should be no plundering or violence 'offered to any of his subjects.' In the Answer to which, his desire against violence is not at all taken notice of, nor is his desire again plundering anywise satisfied; his majesty, not only intending by it the robbing of the subject by the unruliness of the uncommanded soldier (which their clause of requiring 'the generals 'and officers to keep them from it,' seems to imply; and the assertion, 'That the two 'houses had ever disliked and forbidden it,' declares plainly to be their only meaning) but particularly the violence and plunderings used to his subjects, by forcibly taking away their goods for not submitting to Impositions and Taxes required from them by Orders or Ordinances of one or both houses of parliament, which are contrary to the known laws of the land. VI. Besides, that there is no consent given to those Alterations and Additions offered by his maj. whatsoever is pretended; for where an absolute consent may be supposed,

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because the very words of his majesty's Article are wholly preserved, yet, by reason of the relation to somewhat going before that is varied by them, the sense of those words is wholly varied too; as in the fourth Article, where the part of the third Article, to which that did refer, is wholly left out: so that, upon the matter, all the Propositions made by his maj. which did not in terms agree with those presented to him, are utterly rejected.—For these Reasons, and that this entrance towards a blessed Peace and Accommodation, which hath already filled the hearts of the kingdom with joy and hope, may be improved to the wished end, his maj. desires, That the committee now sent may speedily have liberty to treat, debate, and agree upon the Articles of Cessation; in which they and all the world shall find, that his maj. is less solicitous for his own dignity and greatness, than for his subjects ease and liberty: and he doubts not, upon such a debate, all differences concerning the Cessation will be easily and speedily agreed upon; and the benefit of a Cessation be continued and confirmed to his people by a speedy disbanding of both armies, and a sudden and firm Peace, which his maj. above all things desires. If this so reasonable, equal, and just desire of his maj. shall not be yielded unto, but the same Articles still insisted upon: though his maj. next to Peace, desires a Cessation; yet that the not agreeing upon the one, may not destroy the hopes of, nor so much as delay, the other, he is willing however to treat (even without a Cessation, if that be not granted) upon the Propositions themselves, in that order as is agreed upon, and desires the committee here may be enabled to that effect; in which Treaty he shall give all his subjects that satisfaction, That if any security to enjoy all the rights, privileges, and liberties due to them by the law; or that happiness in church and state, which the best times have seen; with such farther acts of grace as may agree with his honour, justice, and duty to his crown, and as may not render him less able to protect his subjects, according to his oath, will satisfy them, he is confident, in the mercy of God, that no more precious blood of this nation will be thus miserably spent."

Resolutions of both Houses thereupon.] March 24. Another conference was held concerning this affair; the result of which was, That the commons communicated to the lords some Resolutions, which they had made concerning the king's last Message; wherein there was an offer to treat upon the Propositions, in case the Cessation was not agreed on, to which they desired their lordships concurrence. The Resolutions were as follows: 1. That the Committee at Oxford shall have power to treat and debate with his majesty upon the two first Propositions, according to their Instructions, for 4 days after the day of the receipt of this Message, notwithstanding that the Cessation be not yet agreed upon. 2. That the Committee, formerly appointed to prepare the Articles of Cessation and Instructions for the Committee at Oxford, shall consider of an Answer to be made to his majesty's Message this day received; and likewise prepare Reasons to be sent to the committee, for them to press the Treaty, and debate the former Articles of Cessation; and to shew his majesty the grounds why the houses cannot depart from those former Articles."

The Parliament's Message to the King in consequence thereof.] For the present, the Parliament thought proper to send the following Message to the king; and the Additional Instructions to their commissioners. And first the Message:

"May it please your majesty; We your loyal subjects, the lords and commons in parliament, having received a Message from your majesty; in which you are pleased to express yourself not to be satisfied with the Articles of Cessation, presented unto you by our committee now attending you at Oxford, and yet a signification of your majesty's willingness to treat upon the Propositions themselves, even without a Cessation; do, with all humbleness, give our consent that our committee shall have power to treat and debate with your maj. upon the two first Propositions according to their Instructions, for 4 days after the day of the receipt of this Message, notwithstanding that the Cessation be not yet agreed upon; that, as much as in us lies, there may be no delay in the proceedings, for the obtaining of a blessed peace, and the healing up the miserable breaches of this distracted kingdom; and do purpose to represent, very speedily, unto your majesty those just Reasons and Grounds, upon which we have found it necessary to desire of your majesty a Cessation, so qualified as that is; whereby we hope you will receive such satisfaction, as that you will be pleased to assent unto it; and being obtained, we assure ourselves it will be most effectual to the safety of the kingdom; and that peace, which, with so much zeal and loyal affection to your royal person, and in a deep sense of the bleeding condition of this poor kingdom, we humbly beg of your majesty's justice and goodness."—The Additional Instructions were as follows:

"My lord* and gentlemen; Whereas, by your former Instructions, your are tied up to a circumstance of time, and are not to proceed unto the Treaty upon the Propositions, until the Cessation of Arms be first agreed upon: you are now authorized and required, as you may perceive by the Votes of both Houses which you shall herewith receive, to treat and debate with his majesty upon the two first Propositions, according to those Instructions, for four days after the day of the receipt hereof,

* The reason of this address being 'My lord,' and not 'My lords,' was because the lord Say did not go; and the house, lest they should be thought to countenance the king's objection, would not appoint another in his stead.

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notwithstanding that the Cessation be not agreed upon. March 24, 1642."

Lord Clarendon's and Mr. Whitlocke's Account of what passed between the King and the Commissioners at Oxford.] We have already given the inital forms for the constituting this Treaty; and shall now present the reader with the Account of this unsuccessful Negotiation, as drawn up by those two contemporary and opposite historians, the earl of Clarendon and Mr. Whitlocke; the former of whom was, at this time, attending the king's service at Oxford; and the latter employed, as himself tells us, by his brother-commissioners in drawing up all their papers to the king, which were afterwards transcribed by their secretaries. And, first, lord Clarendon:

"When the Treaty was first consented to by the two houses, they ordered that it should be upon the first Proposition made by his majesty, and the first Proposition made by themselves; and that those should be first concluded on, before they proceeded to treat upon any of the other Propositions: so that the committee, in the first place, applied themselves to his majesty, upon his own first Proposition, which was, 'That his own revenue, magazines, 'towns, forts, and ships, which had been taken 'or kept from him by force, should be forth-'with restored to him.' To which the committee answered, 'That the two houses had made use of his majesty's own revenue but in a very small proportion, which in a good part had been employed in the maintenance of his children, according to the allowance established by himself: and the houses would satisfy what should remain due to his maj. of those sums which they had received: and would leave the same to him for the time to come. And they desired likewise, that his maj. would restore what had been taken for his use upon any of the bills, assigned to other purposes by several acts of parliament, or out of the provision made for the war of Ireland: that all the arms and ammunition, taken out of his magazines, should be delivered into his stores, and whatsoever should be wanting they would supply in kind, according to the proportions they had received; but they proposed the persons, to whose charge those public magazines should be committed, being nominated by his majesty, might be such as the two houses might confide in; and that his maj. would restore all such arms and ammunition, as had been taken for his use, from the several counties, cities, and towns.—That the two houses would remove the garrisons out of all towns and forts in their hands, wherein there were no garrisons before these troubles, and slight all fortifications made since that time, and those towns and forts to continue in the same condition they were in before; and that those garrisons should not be renewed, or the fortifications repaired, without consent of his maj. and both houses: that the towns and forts, which were within the jurisdiction of the Cinque-Ports, should be delivered into the hands of such a noble person as the king should appoint to be warden of the Cinque-Ports, being such a one as they should confide in: that Portsmouth should be reduced to the number of the garrison, as was at that time when the lords and commons undertook the custody of it; and that all other forts, castles, and towns, in which garrisons had been kept, and had been, since the beginning of these troubles, taken into their care and custody, should be reduced to the same establishment they had in 1636, and should be so continued; and that all those towns, forts, and castles should be delivered up into the hands of such persons of quality and trust, to be likewise nominated by his majesty, as the two houses should confide in: that the warden of the Cinque-Ports, and all governors and commanders of towns, castles, and forts, should keep the same, respectively, for the service of his majesty, and the safety of the kingdom; and that they should not admit into them any foreign forces, or any other forces raised without his majesty's authority, and consent of the two houses; and they should use their utmost endeavour to suppress all forces whatsoever raised without such authority and consent; and they should seize all arms and ammunition provided for any such forces.—They likewise proposed to the king, that he would remove the garrison out of Newcastle, and all other towns, castles, and forts where any garrisons had been placed by him since these troubles; and that the fortifications might be likewise slighted, and the towns and forts left in such state as they were in 1636; and that all other towns and castles in his hands, wherein there had been formerly garrisons, might be committed to such persons, nominated by him, as the houses should confide in, and under such instructions as were formerly mentioned; and that the new garrisons should not be renewed, or the fortifications repaired, without the consent of the king and both houses: that the ships should be delivered into the charge of such a noble person as the king should nominate to be lord high admiral of England, and the two houses confide in; who should receive that office by letters patent, quamdiu se bene gesserit, and should have power to nominate and appoint all subordinate commanders and officers, and have all other powers appertaining to the office of high admiral; which ships he should employ for the defence of the kingdom, against all foreign forces whatsoever, and for the safeguard of merchants, securing of trade, and the guarding of Ireland, and the intercepting of all supplies to be carried to the rebels; and should use his utmost endeavours to suppress all forces which should be raised by any person without his majesty's authority, and consent of the lords and commons; and should seize all arms and ammunition provided for supply of any such forces.'—To this Answer, by which they required, at least, to go whole sharers with him in his sovereignty, the king replied, 'That he knew not what proportion of his revenue had

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been made use of by his two houses, but he had reason to believe, if much of it had not been used, very much remained still in their hands; his whole revenue being so stopped and seized on, by the Orders of one or both houses, even to the taking of his money out of his Exchequer and Mint, and bonds forced from his cofferer's clerk, for the provisions of his household, that very little had come to his use for his own support; but he would be well contented to allow whatsoever had been employed in the maintenance of his children, and to receive the arrears due to himself, and to be sure of his own for the future. He was likewise willing to restore all monies taken for his use, by any authority from him, upon any bills assigned to other purposes, being assured he had received very little, or nothing, that way: and he expected, likewise, that satisfaction should be made by them for all those several vast sums received and diverted to other purposes, by Orders of one or both houses, which ought to have been paid, by the act of pacification, to his subjects of Scotland, or employed for the discharge of the debts of the kingdom; or, by other acts of parliament, for the relief of his poor protestant subjects in Ireland.—For what concerned his Magazines, he was content that all the arms and ammunition, taken out of his magazines, which did remain in the hands of both houses, or of persons employed by them, should be, as soon as the Treaty was concluded, delivered into the Tower of London; and that whatsoever should be wanting of the proportions taken by them, should be supplied by them, with all convenient speed, in kind; which, he said, should be committed to, and continued in, the custody of the sworn officers, to whose places the same belonged: and if any of those officers had already forfeited, or hereafter should forfeit, that trust, by any misdemeanors, his maj. would by no means defend them from the justice of the law: that he always intended to restore such arms and ammunition, which he had been compelled to take from any persons and places, when his own had been taken from him; and would make them recompence as soon as his own stores were restored to him.—To whatsoever they proposed for the slighting all Fortifications, and reducing all Garrisons which had been made since the beginning of the troubles, and leaving them in the state they were before, the king fully and absolutely consented; and that the old castles and garrisons should be reduced to their antient proportion and establishment; but, for the governors and commanders of them, he said, That the Cinque-Ports were already in the custody of a noble person, against whom he knew no just exception; and who had such a legal interest therein, that he could not, with justice, remove him from it, until some sufficient cause were made appear to him; but he was very willing, if he should at any time be found guilty of any thing that might make him unworthy of that trust, that he might be proceeded against according to the rules of justice: that the government of Portsmouth, and all other forts, castles, and towns, as were formerly kept by garrisons, should be put into the hands of such persons, against whom no just exceptions could be made; all of them being, before these troubles, by letters patent, granted to several persons, against any of whom he knew not any exceptions, who should be removed, if just cause should be given for the same. The Warden of the Cinque-Ports, and all other governors and commanders of the towns and castles, should keep their charges, as by the law they ought to do, and for the king's service, and safety of the kingdom; and they should not admit into any of them foreign forces, or other forces, raised or brought in to them contrary to law, but should use their utmost endeavours to suppress such forces; and should seize all arms and ammunition, which, by the laws and statutes of the kingdom, they ought to seize.'—To that part which concerned the Ships, the King told them, 'That he expected his own ships should be delivered to him, as by the law they ought to be; and that when he should think fit to nominate a lord high admiral of England, it should be such a person against whom no just exception could be made; and if any should be, he would always leave him to his due trial and examination; and he would grant his office to him by such letters patent, as had been used. In the mean time he would govern the admiralty by commission, as had been in all times accustomed; and whatsoever ships should be set out by him, or his authority, should be employed for the defence of the kingdom against all foreign forces whatsoever, for the safeguard of merchants, securing of trade, guarding of Ireland, and the intercepting of all supplies to be carried to the rebels; and they should use their utmost endeavours to suppress all forces which should be raised, by any person whatsoever, against the laws and statutes of the kingdom; and to seize all arms and ammunition provided for the supply of any such forces.'—It is evident to all men where the difference now lay between them, being, Whether the king would reserve the disposal of those offices and places of trust to himself, (which all kings had enjoyed, and was indeed a part of his regality) or Whether he would be content with such a nomination, as, being to pass, and depend upon their approbation, no man should ever be admitted to them, who was nominated by him. The committee, upon his majesty's Answer, desired to know, 'Whether he did intend, that both houses should express their confidence of the persons, to whose trust those places were to be committed; for that they were directed by their Instructions, that, if his maj. was pleased to assent thereunto, and to nominate persons of quality to receive the charge of them, that they should certify it to both houses; that thereupon they might express their confidence in those persons, or humbly desire his maj. to name others, none of which persons to be re-

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moved during 3 years next ensuing, without just cause to be approved by both houses; and if any should be so removed, or die within that space, the persons, to be put in their places, to be such, as the two houses should confide in.'—The King answered, 'That he did not intend that the houses should express their confidence of the persons, to whose trusts those places should be committed, but only that they should have liberty, upon any just exception, to proceed against any such persons according to law; his maj. being resolved not to protect them against the public justice. When any of the places should be void, he well knew the nomination and free election of those who should succeed, to be a right belonging to, and inherent in, his majesty; and having been enjoyed by all his royal progenitors, he could not believe his well-affected subjects desired to limit him in that right; and desired they would be satisfied with this Answer, or give him any reasons to alter his resolution, and he would comply with them.'—They told him, 'There could be no good and firm peace hoped for, if there were not a cure found out for the Fears and Jealousies; and they knew none sure, but this which they had proposed.'—The King replied, 'That he rather expected Reasons grounded upon law, to have shewed him, by the law, that he had not that right he pretended, or that they had a right superior to his, in what was now in question; or that they would have shewed him some legal reason, why the persons trusted by him were incapable of such a trust, than that they would only have insisted upon Fears and Jealousies; of which as he knew no ground, so he must be ignorant of the cure. That the argument they used might extend to the depriving him of, or at least sharing with him in, all his just regal power; since power, as well as forces, might be the object of Fears and Jealousies; and there would be always a power left to hurt, whilst there was any left to protect and defend.' He told them, 'If he had as much inclination, as he had more right, to Fears and Jealousies, he might, with more reason, have insisted upon an addition of power, as a security to enable him to keep his forts when he had them; since it appeared it was not so great, but that they had been able to take them from him, than they to make any difficulty to restore them to him in the same case they were before. But, he said, as he was himself content with, so, he took God to witness, his greatest desire was to observe always and maintain, the law of the land; and expected the same from his subjects; and believed the mutual observance of that rule, and neither of them to fear what the law feared not, to be, on both parts, a better means to establish a happy and perpetual peace, than for him to divest himself of those trusts, which the law of the land had settled in the crown alone, to preserve the power and dignity of the prince, for the better protection of the subject and of the law, and to avoid those dangerous distractions, which the interest of any sharers with him would have infallibly produced.'—The Committee neither offered to answer his Majesty's Reasons, nor to oppose other Reasons to weigh against them; but only said, 'That they were commanded, by their Instructions, to insist upon the desires of both houses formerly expressed.'—To which the King made no other Answer, than 'That he conceived it all the justice in the world for him to insist, That what was, by law, his own, and had been, contrary to law, taken from him, should be fully restored to him, without conditioning to impose any new limitations upon him, or his ministers, which were not formerly required from them by the law; and he thought it most unreasonable, to be pressed to diminish his own just rights himself, because others had violated and usurped them.' This was the sum of what passed in the Treaty upon that Proposition.—To the first Proposition of the two houses, 'That his majesty would be 'pleased to disband his armies, as they like-'wise would be ready to disband all their 'forces, which they had raised, and that he 'would be pleased to return to his parliament.' The King answered, 'That he was as ready and willing that all armies should be disbanded, as any person whatsoever; and conceived the best way to it, would be a happy and speedy conclusion of the present Treaty; which, if both houses would contribute as much as he would do to it, would be suddenly effected. And as he desired nothing more than to be with his two houses, so he would repair thither as soon as he could possibly do it with his honour and safety.' The Committee asked him, 'If by a happy and speedy conclusion of the present Treaty, he intended a conclusion upon the two first Propositions, or a conclusion of the Treaty in all the Propositions of both parts?' The King, who well knew it would be very ungracious to deny the disbanding of the armies, till all the Propositions were agreed, some whereof would require much time, answered, 'That he intended such a conclusion of, or in, the Treaty, as there might be a clear evidence to himself, and his subjects, of a future peace, and no ground left for the continuance or growth of those bloody dissensions; which, he doubted not, might be obtained, if both houses will consent that the Treaty should proceed without farther interruption, or limitation of days.'—They asked him, 'What he intended should be a clear evidence to him, and his good subjects, of a future peace, and no ground left for the continuance and growth of those bloody dissensions?' His majesty told them, 'If the conclusion of the present Treaty upon his first Proposition, and the first Proposition of both houses, should be so full and perfectly made, that the law of the land might have a full, free, and uninterrupted course, for the defence and preservation of the rights of his majesty, and of themselves, and the rest of his subjects, there would be thence a clear evidence to him, and all men, of a future peace; and it would be

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such a conclusion as he intended, never meaning that both armies should remain undisbanded until the Propositions on both sides were fully concluded.'—To the other clause of their own Proposition, concerning the King's Return to the Parliament, they said, 'They had no Instructions to treat upon it;' which the king much wondered at; and finding that they had no other authority to treat, or debate what was necessary to be done in order to disbanding, but only to press him to appoint a day for the actual disbanding; and that the forces in the North, where he had a great army, and they had none, might be first disbanded, he endeavoured to draw them to some Propositions upon his return to the parliament; from whence expedients would naturally result, if they pursued that heartily, which would conclude a general peace. And it seemed very strange, that, after so many discourses of the king's absence from the houses, from whence they had taught the people to believe that most of the present evils flowed and proceeded, when a Treaty was now entered upon, and that was a part of their own first Proposition, that their committee should have no instructions or authority to treat upon it. After this they received new Instructions, 'To declare to his majesty the desire of both houses, for his coming to his parliament; which, they said, they had often expressed with full offers of security to his royal person, agreeable to their duty and allegiance, and they knew no cause why he might not repair thither with honour and safety.'—When the King found he could not engage them in that argument to make any particular overture or invitation to him; and that the committee, who expressed willingness enough, had not in truth the least power to promote, or contribute to an accommodation, lest they should make the people believe that he had a desire to continue the war, because he consented not to their Proposition of Disbanding the Armies, he sent this Message, by an express of his own, to the two houses, after he had first communicated it to their committee:

"C. R. Oxford, April 12, 1643.

"To shew to the whole world, how earnestly his majesty longs for peace, and that no success shall make him desire the continuance of his army to any other end, or for any longer time, than that; and until things may be so settled, as that the law may have a full, free, and uninterrupted course, for the defence and preservation of the rights of his majesty, both houses, and his good subjects: 1. As soon as his majesty is satisfied in his first Proposition, concerning his own Revenue, Magazines, Ships, and Forts, in which he desires nothing, but that the just, known, legal rights of his majesty (devolved to him from his progenitors) and of the persons trusted by him, which have violently been taken from both, be restored unto him, and unto them; unless any just and legal exception against any of the persons trusted by him (which are yet unknown to his majesty) can be made appear unto him: 2. As soon as all the members of both houses shall be restored to the same capacity of sitting and voting in parliament, as they had upon the 1st of Jun. 1641; the same, of right, belonging unto them by their birth-rights, and the free election of those that sent them; and having been voted from them for adhering to his maj. in these distractions; his maj. not intending that this should extend either to the Bishops, whose votes have been taken away by bill, or to such, in whose places, upon new writs, new elections have been made: 3. As soon as his majesty, and both houses, may be secured from such tumultuous assemblies, as, to the great breach of the privileges, and the high dishonour of parliaments, have formerly assembled about both houses, and awed the members of the same; and occasioned two several complaints from the lords house, and two several desires of that house to the commons, to join in a Declaration against them; the complying with which desire might have prevented all these miserable distractions which have ensued; which security, his maj. conceives, can be only settled by adjourning the parliament to some other place, at the least 20 miles from London, the choice of which his majesty leaves to both houses:—His majesty will, most chearfully and readily, consent that both armies be immediately disbanded, and give a present meeting to both his houses of parliament at the time and place, at, and to which, the parliament shall be agreed to be adjourned: his majesty being most confident that the law will then recover due credit and estimation; and that upon a free debate, in a full and peaceable convention of parliament, such provisions will be made against seditious preaching and printing against his majesty, and the established laws, which have been one of the chief causes of the present distractions; and such care will be taken concerning the legal and known rights of his majesty, and the property and liberty of his subjects, that whatsoever hath been published or done, in or by colour of any illegal Declaration, Ordinance, or Order of one or both houses, or any committee of either of them, and particularly the power to raise arms without his majesty's consent, will be in such manner recalled, disclaimed, and provided against, that no seed will remain for the like to spring out of for the future, to disturb the peace of the kingdom, and to endanger the very being of it. And in such a convention his maj. is resolved, by his readiness to consent to whatsoever shall be proposed to him, by bill, for the real good of his subjects (and particularly for the better discovery, and speedier conviction of Recusants; for the Education of the children of Papists by Protestants in the Protestant religion; for the prevention of practices of Papists against the state, and the due execution of the laws, and true levying of the penalties against them) to make known to all the world, how causeless those Fears and Jealousies have been, which have been raised against him; and by that so

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distracted this miserable kingdom. And if this offer of his maj. be not consented to (in which he asks nothing for which there is not apparent justice on his side, and in which he defers many things highly concerning both himself and people, till a full and peaceable convention of parliament, which in justice he might now require) his maj. is confident, that it will then appear to all the world, not only who is most desirous of peace, and whose fault it is that both armies are not now disbanded; but who have been the true and first cause that this peace was ever interrupted, or those armies raised, and the beginning or continuance of the war; and the destruction and desolation of this poor kingdom (which is too likely to ensue) will not, by the most interested, passionate, or prejudicate person, be imputed to his majesty."

"To this Message the two houses returned no Answer to the king, but required the committee to return to Westminster (having been in Oxford with his majesty just 20 days) with such positive circumstances, that the house of commons enjoined their members to begin their journey the same day, which they obeyed; though it was so late, that they were forced to very inconvenient accommodations; and, at their return, some of them were looked upon with great jealousy, as persons engaged by the king, and disinclined to the parliament; and this jealousy prevailed so far, that Mr. Martin opened a letter from the earl of Northumberland to his own lady, presuming he should therein have discovered some combination; and this insolence was not disliked."

Mr. Whitlocke's Account of what passed between the King and the abovementioned Committee of Parliament, at Oxford, is as follows:

"The king used the commissioners with great favour and civility; and his general, Ruthen, and divers of his lords and officers came frequently to their table, and they had very friendly discourses and treatments together. The king himself did them the honour sometimes to accept of part of their wine and provisions, which the earl of Northumberland sent to him, when they had any thing extraordinary. Their Instructions were very strict, and tied them up to treat with none but the king himself, whom they often attended at his lodgings in Christ-Church: they had access at all times when they desired it, and were allowed by his maj. a very free debate with him. He had commonly waiting on him, when he treated with them, prince Rupert, the lord keeper Littleton, the earl of Southampton, the lord chief justice Banks, and several other lords of his council, who never debated any matters with them; but gave their opinions to the king in those things which he demanded of them, and sometimes would put the king in mind of some particular things; but otherwise they did not speak at all. In this Treaty the king manifested his great parts and abilities, strength of reason, and quickness of apprehension, with much patience in hearing what was objected against him; wherein he allowed all freedom, and would himself sum up the arguments, and give a most clear judgment upon them. His unhappiness was, That he had a better opinion of others judgments than of his own, though they were weaker than his own; and of this the parliament's commissioners had experience to their great trouble. They were often waiting on the king, and debating some points of the Treaty with him until midnight, before they could come to a conclusion. Upon one of the most material points they pressed his maj. with their Reasons, and best arguments they could use, to grant what they desired. The king said, 'He was fully satisfied, 'and promised to give them his Answer in 'writing, according to their desire; but, be-'cause it was then past midnight, and too late 'to put it into writing, he would have it drawn 'up the next morning (when he commanded 'them to wait on him again); and then he 'would give them his Answer in writing, as it 'was now agreed upon.' They went to their lodgings, full of joyful hopes to receive this Answer the next morning; and which, being given, would have much conduced to a happy issue and success of this Treaty; and they had the king's word for it, and they waited on him the next morning at the hour appointed. But, instead of that Answer which they expected, and were promised, the king gave them a Paper quite contrary to what was concluded the night before, and very much tending to the breach of the Treaty. They did humbly expostulate this with his majesty, and pressed him upon his royal word, and the ill consequences which they feared would follow upon this his new Paper. But the king told them; 'He had altered his mind; and that this 'Paper, which he now gave them, was his 'Answer, which he was now resolved to make 'upon their last debate:' and they could obtain no other from him, which occasioned much sadness and trouble to them.—Some of his own friends, of whom the commissioners enquired touching this passage, informed them, That after they were gone from the king, and that his council were also gone away, some of his bed-chamber (and they went higher) hearing from him what Answer he had promised, and doubting it would tend to such an issue of the Treaty as they did not wish, they being rather for the continuance of the war, never left pressing and persuading of the king, till they prevailed with him to change his former resolutions, and to give order for his Answer to be drawn as it was now delivered.—The Treaty, upon the king's Propositions as well as upon the commissioners, going slowly on, and their Instructions being strict, and such as they could not shew to the king when he desired it, he thought fit, April 12, to send a Message to the parliament during the Treaty. [Here follow the heads of this Message, which we have already given at length, p. 105.] This being intimated to the commissioners they dissuaded the sending of it, as that which they feared might

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break off the Treaty; and the improbability that the houses would adjourn, and leave the city of London, their best friends and strength, and put a discontent upon them. Yet the king was prevailed with to send it; and, upon the receipt of it by the houses, they presently resolved to call away their commissioners, and sent their orders to them to return to the parliament, which they obeyed; and so this Treaty, having continued from the 4th of March to the 15th of April, was now dissolved, and all their labours and hazards become fruitless and of no effect; and all good Englishmen, lovers of the peace of their country, were troubled and disappointed. When they were come to the parliament they gave them a particular Account of all their negotiation, wherewith they were so well satisfied, that they ordered the Thanks of the house to be given them; and, by Vote, approved of all their proceedings."

Sir Hugh Cholmley deserts the Parliament.] April 3. A Letter to the commons from sir John Hotham was read, intimating, That sir Hugh Cholmley, governor of Scarborough castle, had deserted the parliament; but that, by his directions, the castle was regained by capt. Bushel; on which the house immediately expelled sir Hugh, and disabled him from ever sitting as a member there; and ordered that he should be impeached of high treason, for falsely and perfidiously betraying the trust reposed in him by the parliament, falsifying his Protestation, and revolting to the Popish army raised against the parliament.

The E. of Northumberland canes Mr. Martin, a Member, for opening a Letter of his.] April 18. The Parliament's Commissioners being all returned, the earl of Northumberland had the public Thanks of the house of lords given him for his prudent management in that business. Lord Clarendon, in his account of the Treaty before given, has hinted, that this nobleman was one of the suspected amongst the commissioners, as too much favouring the royal cause; and that Mr. Martin, one of the committee of safety at Westminster had opened a Letter from the earl, at Oxford, to his lady. We find, by the Journals, that this affair was highly resented by his lordship; who, at his return, meeting Mr. Martin at a conference in the Painted-Chamber, took him aside and questioned him upon it; but Mr. Martin justifying what he had done, the earl caned him in the presence of several persons. Mr. Martin complained of this to the commons; which produced the following Message to the lords, brought up by Mr. Glyn, who said,—"He was commanded by the commons to tell their lordships, that they had always been very tender of their lordships Privileges, and very desirous of the continuance of a fair agreement between both houses; and they were very confident that their lordships would be as tender of the privileges of the commons. That they were informed, that, this day, Mr Martin, a member of the commons, appointed by them to be one of the managers at a conference, as he was returning from it, (as the members ought to do without any hindrance or violence) was assaulted in the Painted-Chamber by a peer of great worth, the earl of Northumberland; which they held to be a Breach of the Privilege of parliament: and for this, he said, he was commanded by the commons to desire reparation."

The earl being then in the house, stood up and said, "That he submitted himself to their lordships judgment in this business; but desired them to take his case first into consideration, and to get reparation for the great breach of privilege done to the house of lords, and the injury to himself, by Mr. Martin, in opening his lordship's letter sent from Oxford, without any authority; he being a peer of that house, and then employed by it as one of the committee to treat with his majesty about the affairs of the kingdom."

All the Answer the lords gave to this Message at first, was, That they would send one by messengers of their own. They then took into consideration the fact done by Mr. Martin, in opening the earl's letter without any authority: and considering the earl as a member of the house of lords, and as a person of that capacity he was in when the fact was committed, being employed by their house to treat with his maj. about the great affairs of the kingdom, they conceived the matter to be a great Breach and Violation of the Privileges of their house; and it was resolved to have a conference with the commons, the next morning, concerning their Privileges, and to give them a narration of the whole business; and a message was sent down accordingly. But though we are told, by the Lords Journals, that a conference was held the next day, and a narration of the fact made by their lordships; yet it is not entered in either Journal, nor is there any more said concerning this business.

The E. of Essex's Letter from before Reading.] April 25 A Letter from the earl of Essex, who then lay before Reading with his whole army, was read, in the house of lords, addressed to their Speaker, in these words:

"My lord; I hold it my duty to acquaint the parliament with some passages, that happened yesterday morning and this last night. In the morning, about 2 of the clock, captain Kerr, that commands sir Wm. Balfour's troop, with two troops more, being upon the guard at Caversham, to take care that no provisions should be put into the town, the general Ruthen, with about 1500 horse and dragoons, namely 7 regiments of horse and 2 or 300 dragoons, surprized two centinels; but, having the alarm, our troops charged with 40 horse, and so retreated to col. Berkeley's regiment that was drawn over the bridge. The enemy charging, the musqueteers gave fire, and attacked col. Holborn with his musqueteers so resolutely, that they wheeled about and went away, our few horse following them 3 miles.

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Their intention was to put 40 barrels of powder into the town.—That evening I sent out col. Middleton and col. Meldrum with their horse, and col. Milne with 4 troops of his dragoons, to find out the enemy. They fell in with them about 11 at night, at Dorchester, where the life-guard of foot lay, and the king's standard, which they knew not of till afterwards.—If the soldiers could have been kept from plundering, they might have done much more; but there being 4 troops of horse there besides a regiment of foot, and being in danger of having the communication with Wallingford cut off between them and us, they only routed most of that regiment, took the captain and lieut. of the life-guard, another lieut. two of the king's harbingers, one cornet, which they say was sir Tho. Aston's, and 40 other prisoners, with 150 horse.—The king draws together all his forces, prince Maurice being come, and prince Rupert hourly expected at Brill, and is marching this way; so that we expect this night, or Tuesday night which we rather conjecture, all their forces to fall upon us: besides Proclamations are sent out to raise all the country from 16 to 60; which, if the parliament had sent out in that kind, it would well have strengthened their army.—We doubt not but that God, which hath shewed us so many blessings hitherto, will protect us out of these storms that threaten us. We, that serve you, are in a hard condition, losing all our fortunes; and those that are violentest against the parliament, have their estates protected; if the army be well paid, it is no matter; if not, it must break; which I think, for the number, is the bravest army in Christendom. I believe that the time is thought long that Reading holds yet out. I assure you it is a very strong fortified town, all pallisadoed, and strong in out-works.—I am very loth to venture the soldiers upon such work, it being probable that many may be lost in storming; and, now especially, it were our great hazard, the enemy being so near, and we must be in a posture to fight. But I doubt not, by God's blessing, I shall give a good account of this great business. Sir Wm. Waller doth not come to me according to my expectation and order, though prince Maurice be come from him, and turned upon me; so that I have now all the king's forces to deal with, both without and within the town, without the assistance which I had reason to look for. Your, &c. ESSEX. From before Reading, April 24, 1643."

Conference on the Means for supplying the E. of Essex's Army.] April 27. The commons finding that their Armies were in great want of pay, had a conference with the lords; in which they offered the following Propositions: "First, On account of the lord-general's letter, they considered that his estate was all sequestered and seized upon, whereby he was utterly unable to bear the charge now laid upon him; therefore the commons desired the lords to expedite the order, formerly sent to them, for to put the lord-general into possession of the lord Capel's estate. In the same Letter they took notice, that the Army was in danger to disband, unless care be taken to supply it with money; therefore the commons desired their lordships to join with them in sending a select committee of both houses to the city of London, this morning, to communicate the lord-general's Letter to them, except that part of it concerning sir Wm. Waller and delinquents estates; and to offer to them personal security of the members of both houses, to raise a considerable sum of money for the relief of the Army: likewise to return the common council thanks for the procuring of the late sum of 44,000*l.* Also to let them know, that the king is now drawing his forces into the field, and has made proclamation for all, from 16 to 60, to come in to his assistance; therefore to desire the city to get their forces in readiness to defend it, the adjacent counties, and the lord-general, if there be occasion. And, To desire the city to collect, speedily, the money that is behind on the Weekly Assessment; and, since the burdens of voluntary contributions are very great, and divers rich men have done nothing in the counties, the commons desired their lordships to pass the Ordinance for seizing the 20th part of the Malignants estates in the country, which would speedily bring in a considerable sum."

The lords agreed to send a committee of both houses into the city, upon the particulars aforementioned; but they objected against enjoining any lords to give their personal securities for the procuring of money, and left every lord to do therein as he pleased. And as to the Ordinance for sequestering all the lord Capel's, and that for the 20th part of Malignants estates, the lords would take them into their consideration. The earls of Bolingbroke, Manchester, and Rutland, were nominated, by the lords, to visit the city.

May 2. We now first meet with the name of Mr. Oliver Cromwell, as an officer of rank in the parliament's army; a particular Ordinance being made concerning him and some more officers, viz. Ch. Fleetwood, Edw. Whalley, and John Desborough: names which will frequently occur in the sequel. The said Ordinance appoints, "That whereas authority was given, by a former, to col. Oliver Cromwell and others, for the seizing of the persons, horses, arms, money, and plate of malignants and ill-affected persons in the county of Cambridge, the isle of Ely, &c. It was now further ordained, That the said col. Cromwell, &c. shall have authority to seize their corn and cattle, as well as other goods, under the protection of both houses of parliament."

The Parliament's Letter to the United Provinces, desiring a good Correspondence.] The Dutch had been, of late, much courted by the English parliament, to prevent any supplies of men, arms, or money being sent over to the king's assistance; but their agent, Mr. Strickland, at the Hague, could not hinder them from selling arms, or taking pawns of the

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queen's, or crown jewels, for that purpose. At this time the parliament was alarmed with the report of a naval armament, then getting ready at Dunkirk, which was to act against theirs at sea; to prevent which, the following Letter was agreed upon, by both houses, to be sent to their high mightinesses with all speed.

"High and mighty lords; We are commanded, by the lords and commons in parliament, to make known to your lordships, that several advertisements have been given to the committee of the lords and commons, appointed by both houses to take care of the safety of the kingdom on all occasions that concern the same, both at home and abroad, That the king hath hired divers ships and frigates of Dunkirk, to the number of 24, or thereabouts; and that he intended to employ them against the fleet appointed by the parliament for the defence of this kingdom. It was further informed, That two of these ships, or frigates, were permitted to pass, out of Dunkirk, by the admiral of your lordships fleet, by warrant or some command from his highness the prince of Orange; which information that committee ordered should be communicated to Mr. Strickland, now resident in the Hague by authority and instructions from both houses; which direction of that committee of both houses was likewise seconded by an Order of the commons house, and Mr. Strickland commanded to present it to your lordships, as he hath done.—We are to intreat your lordships to believe, that the two houses have such an opinion of the wisdom and justice of your state, that they cannot easily conceive you would do any thing so much to the prejudice of the interest of yourselves, as well as of the kingdom; and the high esteem and value which they set upon your friendship and correspondency is such, that they would not suffer any report of that nature to be spread in the world, but speedily present it to your lordships, as an information only commonly spoken of, to the great prejudice and disreputation of that near union and concurrence between this kingdom and your state, which they most earnestly desire may ever be continued: and they very much rejoice to hear, that there was no ground for that report in any resolution of your lordships, nor in any command or direction of the prince of Orange; whose eminent power and abilities they shall always hope will be expressed in such counsels and actions as may be most agreeable for the preservation of the Reformed Religion, and the interest of both states, against the antient known enemies of both: and the lords and commons do assure your lordships, that you shall never discern any thing, in their intentions and proceedings, but what, in their judgment, shall be most proper and effectual to that end; and as they rest fully satisfied concerning the vanity and falsehood of that report, so they pray your lordships to rest assured, that this information was appointed to be presented to you, out of a tender affection to preserve both the being and reputation of an invoidable conjunction betwixt this kingdom and your state, without intention to reflect upon the honour of his highness the prince of Orange; and they desire you so to continue your favourable audience to Mr. Strickland, and to give credit to him, as one authorized by both houses of parliament to communicate to you the affairs of this kingdom, and to cherish the peace and amity betwixt the two states, which the two houses are confident he will ever faithfully and effectually perform. We commend the prosperity of your state, and of your lordships, to God's blessing, and remain your, &c. MANCHESTER, Speaker of the house of peers pro tempore. W. LENTHALL, Speaker of the House of commons. Westminster, May 2, 1643."

Dispute between the Houses concerning the seizure of 2 of the King's Horses.] May 3. One De Luke having broke open the King's Stables, and taken two young Horses belonging to his majesty, the lords ordered the horses to be restored, and De Luke to attend them to answer it. This man produced his warrant to the messenger, from Mr. Martin; and Mr. Martin himself denied to return the horses, saying 'We have taken the king's ships and forts, and may as well take his horses, lest they might be employed against us; but, however,' he added, 'he would acquaint the commons therewith the next morning, who would satisfy the lords at a conference.' This the lords took very ill, and, at the conference, they told the commons, That they had resolved to write to the lord-general, to recall Mr. Martin's commission; but, for himself, they had done nothing, in regard he was a member of their house. Adding, That they did apply themselves unto the commons in all respect and civility, and did look for reparation in this business. Instead of which, the commons, on their return to the house, voted, 'That Mr. Martin did well in not delivering the two Horses till he had made them acquainted with it: that these two horses should be kept by Mr. Martin till this house gives further order; and that the lord-general be desired not to do any thing in the business concerning Mr. Martin, till he heard further from that house.'

The Book of Sports ordered to be burnt.] May 5. An Order of parliament was made, That the Book, enjoining and tolerating of Sports upon the Lord's Day, be forthwith burnt, by the hands of the common hangman, in Cheapside, and other usual places. The sheriffs of London and Middlesex were to attend, and see this Order duly executed; and all persons, who had any of the said books, were ordered to bring them to one of the sheriffs, for their utter destruction.

An Excise laid on Ale, Cyder, Perry, &c.] May 16. An Order was made by the commons, directed to all justices of peace, &c. all over England and Wales, to put the statute, 1mo Jacobi, in execution, That no strong Beer or Ale should be sold at above 1d. the quart;

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and, of all other beer, two quarts for the penny.—An Excise was also laid on at this time as follows: For each barrel of strong Beer or Ale, of 8*s.* the barrel, 1*s.* For a hogshead of Cyder or Perry, 1*s.* To be paid by the first buyer. The same tax was laid on the housekeeper, for Beer, Ale, Cyder or Perry, brewed or made for his own spending. All alehousekeepers, or inn-holders, that brew and sell strong Beer and Ale of their own, each barrel, 2*s.* For all sorts of retailed Wines, over and above the customs due for the same, to be paid by the first retailer, a quart, 2*d.* On all sorts of Wines bought here, besides customs, to be paid by the first buyer, for all he shall use in his own house, for a quart, 1*d.* The same to be paid by the merchant for all the wine he shall use in his own house, besides the due customs. For a barrel of 6*s.* Beer sold, to be spent, as well in private as in victualling-houses, to be paid by the common brewer, or those that brew or sell the same beer, 6*d.* On all Tobacco, not of English plantation, the pound value, not weight, 4*s.* For the English plantation Tobacco, the same value; both over and above all other customs, 2*s.*

Resolutions of the Commons relating to the Great Seal.] May 20. A conference was held between the two houses, the effect of which was, That the commons presented to the lords certain votes they had lately passed, viz. 1. "That the Great Seal of England ought, by the law of the land, to attend the parliament. 2. That the Great Seal of England doth not attend the parliament; as, by the laws of the land, it ought to do. 3. That, by reason of this, the commonwealth hath suffered many grievous mischiefs, tending to the destruction of king, parliament, and kingdom. 4. That it is the duty of both houses to provide a speedy remedy for these mischiefs. 5. That a Great Seal of England shall be forthwith made, to attend the parliament for the dispatch of the affairs of parliament and kingdom."—This last Vote occasioned a division in the commons, when the numbers were 86 for making a new Seal, and 74 against it; in all 160 members present: the most that have divided on any question for a long time.—The lords deferred debating on all these matters till another day.

The King's Message requiring an Answer to his Message for an Accommodation.] May 22. A message from the king was read in the lords, as follows:

"C. R. Since his majesty's Message of the 12th of April, in which he conceived he had made such an overture for the immediate Disbanding of all armies, and composure of these present miserable distractions, by a full and free convention in parliament, that a perfect and settled Peace would have ensued, he hath, in all this time, (above a full month) procured no Answer from both houses; his maj. might well believe himself absolved, before God and man, from the least possible charge of not having used his utmost endeavours for peace; yet when he considers that the scene of all the calamity is in the bowels of his own kingdoms; that all the blood which is spilt is of his own subjects; and what victory soever it shall please God to give him, it must be over those who ought not to have lifted up their hands against him: when he considers these desperate civil dissentions may encourage and invite a foreign enemy to make a prey of the whole nation; that Ireland is in present danger of being totally lost; that the heavy judgment of God's plague, pestilence, and famine will be inevitable attendants of this unnatural contention; and that, in a short time, there will be so general a habit of uncharitableness and cruelty contracted throughout the kingdom, that even peace itself will not restore his people to their old temper and security: his maj. cannot but again call for an Answer to that his Message, which gives so fair a rise to end these unnatural distractions. And his maj. doth this with the most earnestness, because he doubts not but the condition of his armies in several parts; his strength of horse, foot, and artillery; his plenty of ammunition (which some men lately conceived he might have wanted) is so well known and understood; that it must be confessed, that nothing but the tenderness and love to his people, and those Christian impressions which always have dwelt, and, he hopes, always shall dwell, in his heart, could move him, once more, to hazard a refusal: and he requires them, as they will answer to God, to himself, and all the world, that they will no longer suffer their fellow subjects to welter in each other other's blood; that they will remember by whose authority, and to what end, they met in that council; and send such an Answer to his majesty, as may open a door to let in a firm peace and security to the whole kingdom. If his maj. shall again be disappointed of his intention herein, the blood, rapine, and distractions which must follow in England and Ireland, will be cast upon the account of those who are deaf to the motion of Peace and Accommodation."

Ordered, That this Message should be communicated to the commons; and some lords being appointed to draw up what was fit to be delivered to them besides, at this conference, as the sense of this house about it, they soon after brought in the following:—"That the lords conceive it necessary to send the Reasons to the king, why the two houses could not agree to the Propositions offered in his majesty's Message of the 12th of April. To express, in that Answer to be made to his majesty, That their endeavours had been, and ever shall be, to put an end to these unhappy differences; so as their religion, laws, and liberties might be secured. To desire the commons to appoint a committee to meet one from the lords, to consider of this whole Message, and to prepare such an Answer as they think fit to offer to the two houses."

Abp. Laud's Petition for Relief.] The Abp. of Canterbury having now lain a very long time in the Tower, and no process, as yet,

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brought against him by the commons, though often urged to it by the lords; an humble Petition was this day presented to that house, from this prelate in these words:

The Humble PETITION of William Archbishop of Canterbury,

"Shewing, That he hath neither lands, lease, nor money; that the small store of plate he had is long since melted down for his necessary support and expences, caused by his present troubles: that his rents and profits are sequestered, and now all his goods taken from him, and no maintenance at all allowed him; insomuch that if some friends of his had not compassion on his wants, and sent him some little supply, he had not been able to subsist till this present; and now this supply is at the last. He humbly prays that your lordships would take his sad condition into your considerations, that somewhat may be allowed him out of his estate to supply the necessities of life; assuring himself that your lordships will not, in honour and justice, suffer him either to beg or starve. And your petitioner, &c.

"W. CANT."

The lords immediately resolved to allow the archbishop some maintenance, out of charity, to supply his necessities; and further ordered, That the petition be recommended to the commons. The commons returned for Answer, That they would send one by messengers of their own; but we hear no more of it from that quarter.

The Commons accuse the Queen of High Treason.] A message being sent up from the commons, to desire the lords to sit a while, for they had a matter of great importance to communicate to them; soon after Mr. Pym came up to acquaint their lordships, that the commons had discharged their consciences by the following Vote which they had passed:—"That the Queen had levied war against the parliament and kingdom; and, having discharged their consciences, they think it fit to discharge their duty too; and said, He was commanded by the commons, in the name of themselves, and of all the commons of England, to accuse and impeach, and he did accordingly now accuse and impeach, Henrietta Maria, queen of England, of High Treason. And they desired their lordships to issue forth proclamations to summon her to appear before them, and receive a trial and due sentence for the same."—It is observable that these Votes were carried in the commons nem. con. The queen had just before met the king at Edge-hill, with a reinforcement of 3000 foot, 30 troop of horse and dragoons, and 6 pieces of cannon, besides great store of other warlike ammunition. All that is entered in the Lords Journals relative to this impeachment is, 'This to be taken into consideration:' but we hear no more of it for some time.

The Lords agree only to some of the Commons Votes relating to the Great Seal.] The lords entered into a long debate, concerning the Votes lately brought up from the commons, about making a new Great Seal: and, the first Vote being debated, these questions were put, Whether the use of the Great Seal of England ought to be applied to the commands of the parliament, by the laws of the land? It passed in the affirmative. The next, Whether the Great Seal ought to attend the commands of the parliament, according to law? Resolved negatively. The second Vote, 'That the Great Seal doth not attend the parliament, as by the laws of the land it ought to do,' being read, the lords resolved to have a conference, to be informed by the commons wherein the Great Seal hath not been applied to the commands of the parliament. They likewise resolved to defer giving any resolution as to the third Vote till the second was cleared. The house then proceeded to the fourth Vote, 'That it is the duty of both houses to provide a speedy remedy to these mischiefs;' and, after debate hereof, the lords came to this Resolution, That it is the duty of both houses to use their best endeavours to provide a fitting and speedy remedy. The fifth Vote, 'That a Great Seal of England shall be forthwith made to attend the parliament, for dispatch of the affairs of parliament and kingdom,' was put to the question, and passed in the negative.—To palliate these Resolutions to the commons, the lords appointed a considerable committee to consider what was fit to be delivered to them, on this subject, at the ensuing conference.

This day another conference was held between the two houses; in which the commons communicated to the lords some Letters which they had received from their general in the North, the lord Fairfax, and other officers, concerning the taking of Wakefield, &c. and that they had voted a public thanksgiving for the same; which the lords agreed to.

Order relating to the Regalia in Westminster Abbey.] June 2. On a motion in the commons, That the dean, sub dean, and prebendaries of Westminster-abbey, should be required to deliver up the keys of the treasury there, where the Regalia were kept, that the place might be searched, and a report of it made to the house, the question was put, Whether, upon refusal of the keys, the door of that place should be broke open? It passed in the negative, 58 against 37: but the next day, the same question being again put, with the addition of an inventory of the things there to be taken, new locks put on the doors, and nothing removed till upon further order of the house, it was carried by so small a majority, as 42 against 41, for breaking open the doors.

The important town of Newcastle upon Tyne had been, for some time past, in the hands of the king's forces; by which the city of London was much straitened for coals, the works and mines for digging this useful commodity being all engrossed by the Royalists, as well as the several ports from which it was shipped off and conveyed to London. To remedy this great inconvenience to the city, after many consultations and conferences, a scheme

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was published, put on the footing of the adventurers for Ireland; by which means those Northern parts of England were to be as much a conquered country as the other; and the lands and estates of many great families shared out amongst those who would venture to advance money for this expedition. An Ordinance to that purpose was passed by both houses, about this time, and ordered to be printed and published.

Petition from the University of Cambridge.] June 5. The following Petition, from the University of Cambridge, was presented to the lords:

The Humble PETITION of the University of Cambridge;

"Humbly presenteth to your honourable consideration the sad dejected state of the University; how our schools daily grow desolate, mourning the absence of their professors, and their wonted auditories; how, in our colleges, our numbers grow thin and our revenues short; and what subsistence we have abroad is, for the most part, involved in the common miseries; how, frighted by the neighbouring noise of war, our students either quit their gowns or abandon their studies; how our degrees lie disesteemed, and all hopes of our public commencements are blasted in the bud; besides sundry other inconveniences which we forbear to mention.—We cannot but conceive your honourable piety (out of a noble zeal for learning) will duly pity our sad condition; and, as the present general calamities give way, afford us some succour and encouragement. Your wisdoms best know what privileges and immunities have been, in all good times, afforded to the seats of learning and professors of it; and, even in the fury and heat of war, places of religion and devotion have usually, not only on both sides, been spared from ruin, but supported and esteemed as sanctuaries. Hence it is that the members of our University (by charter confirmed by act of parliament) are expressly freed from all preparations and contributions to any war; hence it is that, in neighbouring territories, where the excise is most in use, the university, with all their students, are exempt.—May it, therefore, not be displeasing to your pious wisdoms, if in all humility we crave at your hands a tender consideration of our case; that you will be pleased to exempt our poor estates from all such rates and impositions; to vouchsafe such freedom to our persons, not giving just offence, as may enable us the better to keep together, and daily to offer up our joint prayers to God for a blessed union betwixt our gracious sovereign and you, and the blessing of peace upon the land."

Meeting of the Assembly of Divines at Westminster.] This day the Ordinance of the lords and commons, formerly made, was read, for the calling an Assembly of learned and godly Divines, to be consulted with by parliament, for the settling the government and liturgy of the Church of England; and vindicating and clearing the doctrine of the said church from false aspersions and interpretations. This Ordinance was referred to the consideration of 13 lords, appointed as a committee, to report the same to the house. This Assembly of Divines soon after met, to the number of 69, in Henry 7th's Chapel, in the Abbey of Westminster, where a sermon was preached, before them and the two houses of parliament, by Dr. Twist, their prolocutor; and, a day or two after, a public fast was kept by them. What they did, when met together, will appear in the sequel.

A Plot against the Parliament; which gives rise to a new Oath or Covenant.] June 8. The commons had been busy for some days, in tracing out a Plot against the Parliament, and securing the authors and contrivers of it. The names of these conspirators were, Mr. Edm. Waller, (the poet) a member of the house of commons, and one of their late commissioners at Oxford, Mr. Tomkins, Mr. Chaloner, and others. This day, at a conference, the commons produced the Examinations they had taken concerning this Plot, to prove the particulars of it, and also made some observations thereupon. They then presented to the lords the form of an Oath, or Covenant, which the members of their house, for the most part, had already taken, except a few who desired some days to consider of it; and this they requested the lords to take also. They further brought up an Oath, or Covenant, to be taken by the whole kingdom, for discovery of such designs as these, and to express a detestation of all of the like nature. Lastly, they said it was to distinguish the good and the well-affected party from the bad, and unite the former faster together amongst themselves.—This affair Mr. Whitlocke tells us, was long debated in the commons; but was, at last, carried, and those members looked upon as disaffected who were any way backward in taking of it. And, after another long debate, it was ordered to be taken by all persons, in city and country; and those who refused it had the mark of Malignancy fixed upon them.

Next the commons offered some Votes, which had passed their house, to the lords, for their concurrence; as, 1. "That a particular short day may be appointed, wherein both lords and commons, with the cities of London and Westminster, &c. may meet and give public Thanks to God, for this discovery and great deliverance.' Agreed; and the 13th instant appointed for the parliament and city, and that day month for the whole kingdom. 2. That a free pardon shall be granted for all such persons that have been in this Plot, and are not yet taken, nor have fled, as shall come in voluntarily before the 15th of this month, and discover their whole knowledge of this design, and shall heartily join with the parliament in defence of the kingdom. 3. That it be recommended to the city to have a stricter guard kept till this business be settled; and that some better course may be taken for securing

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the prisoners, and keeping them in close custody. 4. That letters be sent to the earl of Warwick, to inform him of this Plot; and that the said Oath may be taken by all the officers and mariners through the whole fleet." The lords agreed to these Votes, without any alteration.

Mr. Pym's Narrative of the Plot, as delivered at the Guildhall.] This day the commons, also, thought fit to send a deputation of their house into the city, to make the same Narrative to them as was made to the lords.

Mr. *Pym*, being chosen orator for this purpose, delivered himself, at a Common-hall, in these words:*

"My Lord Mayor, and you worthy Citizens of this famous and magnificent City; We are sent hither to you from the house of commons, to make known to you the Discovery of a great and mischievous Design, tending not only to the ruin and destruction of the city and of the kingdom; but, in those ruins, likewise to have buried religion and liberty. I might call it a strange design (though, in these late times, designs of this kind have been very frequent) because it exceeds others in divers considerable circumstances of it; in the malice of the intention, subtilty of contrivance, extent of mischief, and nearness of execution; all which arose from the wickedness of the authors. Two others may be added; that is, the clearness of the discovery and proof, and the greatness of the deliverance, proceeding from the great mercies of God.—I shall, in the opening this Design, take this course for my own memory and yours; and observe, 1. What was in their aims. 2. The variety of Preparations. 3. The Degrees of Proceedings. And 4. The Maturity and Readiness for Execution.—The parliament, the city, and the army, seem to be the three vital parts of this kingdom; wherein not only the well-being, but the very life and being of it doth consist; this mischief would have seized upon all these at once.—The City should have been put into such a combustion, as to have your swords imbrued in one anothers blood: the parliament should have been corrupted, and betrayed by their own members: the Army destroyed, if not by force, yet for want of supply and maintenance, that so they might have had an open and clearer way to the rest which they had in proposition; especially to that main and supreme end, the extirpation of religion.—I shall tell you, first, out of what principles this did rise; it was from the ashes of another design that failed; that mutinous Petition which was contrived in this city; the actors of that Petition being therein disappointed, they fell presently into consultation how they might compass their former end in another way; that is, under pretence of securing themselves by force against the Ordinances of Parliament, and, under pretence of procuring Peace, they would have made themselves masters of the city, yea of the whole kingdom; and they would have ruined and destroyed all those that should have interrupted them in their mischievous intentions.—The first step in their Preparation was, To appoint a committee that might often meet together, and consult how they might compass this wicked end. Their next was, that they might enable that committee with intelligence from both armies, as well those on the king's side, (as they call themselves, though we be of the king's side indeed) as those that are raised by the parliament; especially they were careful to understand the proceedings of parliament, that so, by the advantage of this intelligence, they might the better effect that which they had in project, and find the readiest and the nearest ways to it.—After they had thus provided for intelligence, then how to procure power and countenance to this action, by some appearing authority from his majesty: for which purpose they projected to get a commission from the king, whereby many of themselves, and of those that were of their own consort, should be established a council of war in London and parts adjacent, with power to raise forces, make provisions of ammunition, and of other kind of arms, and to give authority to the leading and conducting of those forces, and to raise money for the maintenance of them; and, as it is expressed in the commission, for the destruction of the army under the command of Robert earl of Essex, raised by authority from the two houses of parliament.—Having laid these Grounds, I shall, in the next place, discover to you those that should have been actors and agents in this business, their several qualifications and relations. The first sort was some members of the city, whereof there were divers, you shall hear the names out of the proofs; the next was (in their pretence, as they gave out) members of the two houses of parliament; the third sort was, two gentlemen, Mr. Waller, and a brother-in-law of his, Mr. Tomkins, that were to be agents betwixt the parliament and the city, as they pretended; a fourth sort was, those that were to be messengers to convey intelligence from this place to the court at Oxford, and to other places where there should be occasion; and the fifth and last consisted but in one man, that we yet discover, and that was the lord of Falkland, that kept correspondency with them from the court: these were to be the actors in this mischievous Design.—They began then to think upon some other courses of very great advantage to themselves. The first was of Combination; how they might be more closely conjoined one to another, and how they might be more secure from all others that were not of the same party; and, for this purpose there was devised a Protestation of Secrecy, whereby, as they were Christians, they did bind them-

* From the original edition, printed for Peter Cole, in Cornhill, near the Royal-Exchange; and said, in the title page, to be corrected by Mr. Pym's own hand for the press.

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selves to keep one anothers counsel, not to reveal that which they had knowledge of, which they were trusted with: and the second was, a wariness in discovering the business to any of those who were to be brought into the Plot, for though they came in amongst them to be of them, they would not trust all of their own body; but they took this wary and subtile course, that no one man should acquaint above two in this business, that so, if it came to examination, it should never go farther than three, by the same party that discovered it; and then those two had the like power, that any one of them might discover it to two others, that so still it might be confined within the number of three: then there was a special Obligation, as was pretended by Mr. Waller, which he had made to those that he said were members of both houses of parliament, and consenting to this Plot; but that is yet but a pretence, no names or parties are known.—After they had provided thus for their Combination, and for their security, then, in the next place, they thought of some means of Augmentation, how they might increase their numbers, and draw in others to come to be of their party; and for this they did resolve to use all the art and subtilty to irritate men's minds against the parliament; they found out those that thought themselves most heavily burdened with these taxes; they did cherish all that had any discontents about the Assessment, advising them to repair to the Committee for Ease, which they knew would be difficult to obtain; and that they, being disappointed, would be more enraged, and the apter to join with them in this Plot.—From this care of Augmentation, they went, in the next place, to find out some means of Discovery; that they might know how far their party did extend, who were of their side, and who were against them; and, for this purpose, they did devise that there should be a survey of all the Wards, nay of all the parishes, within the city of London, the suburbs and places adjoining in every parish, to observe those that were for them, whom they called Right Men; and others that were against them, whom they called Averse Men; and then a third sort, whom they called Neutrals and Indifferent Men; and they appointed several persons, that were trusted with this survey and enquiry, to find out these several degrees and sorts in every parish.—Thus far this Design seems to be but a work of the brain, to consist only in invention and subtilty of design; but the other steps and degrees, which I shall now observe to you, will make it to be a work of the hand, to bring it somewhat nearer to execution.—The first step that came into action and execution was, That they procured this Commission, which they had before designed and endeavoured to obtain: now they had obtained a commission, as I told you before, to establish certain men, 17 in number; their names are there expressed; you shall hear them read to you; they were to be a council of war here within the city; these 17 men had power to name others to themselves, to the number of 21; and they should be enabled both to appoint, not only colonels and captains, and other inferior officers of an army, but to appoint and nominate a general; they had power to raise men, to raise arms and ammunition, and to do all those other things that I told you before; and to lay taxes and impositions, to raise money, and to execute martial law.—When they had gone thus far, in the next place, they did obtain a Warrant from the king; and this was to Mr. Chaloner, that he might receive money and plate of all those, that, either by voluntary Contribution or Loan, would furnish the king, in this necessity of his, as they called it; and thereby the king was obliged to the repayment of it: this was obtained.—By this cometh in the List; and what was before part of the Design, cometh now into act; the citizens that were trusted with framing of this List, brought it in, except in some few parishes, under those Heads of Discovery that I formerly told you of; that is, in every parish who were Right, who were Indifferent and Neutral, and who were Averse; and those were brought to Mr. Waller's house. After they had delivered that List the citizens then declared themselves that now they had done their part; as they had discovered to them a foundation of strength, they did expect from them again a foundation of countenance and authority, that was from both houses of parliament; and they did declare, that they would proceed no farther till they knew the names of those members of both houses that should join with them, and should undertake to countenance this business. Mr. Waller made this Answer, that he did assure them that they should have members of both houses, both lords and commons, to join with them; that he himself was but their mouth; that he spoke not his own words, but their words; that he was but their agent, and did their work; that they should have of the ablest, of the best, and of the greatest lords, and the greatest number; nay, that they should pick and chuse; that they could not wish for a lord, whom he doubted not but to procure them: this was the vanity of his boasting to them to draw them on, and to encourage them in this Plot. This being now done, and propounded by the citizens on their part, Mr. Waller propounded from the lords divers Quæries and Questions which had been framed, as he said, by the lords and commons; and, in their name, he did present them that were for the removal of difficulties, of some Obstructions, that might hinder this work; those Quæries were delivered upon Friday was se'nnight to some of the citizens, and, upon the Saturday morning, (that was Saturday was se'nnight) they were returned back again with Answers.—I shall now relate to you both the Quæries and the Answers that were returned by those of the City. 1. 'What number of men there were armed? *A.* There was a third part well armed, a third part with halberts, and another third part

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with what they could get; with what came to hand. 2. In what places the Magazines were laid? *A.* At alderman Fowk's house at Leadenhall, and at Guildhall. 3. Where the rendezvous should be? *A.* At all the gates, the places of the magazines in Cheapside, in the Exchange, and at what other places the Lords should think fit. 4. Where was the place of retreat, if there should be occasion? *A.* They had Banstead Downs, they had Blackheath, in proposition; but they did refer the conclusion of the place to the lords. 5. What colours there should be? *A.* At every rendezvous there should be colours. 6. By what marks and tokens they should be distinguished from others, and know their friends from their enemies? *A.* They should have white ribbons or white tape. 7. what strength there was within the walls, and without? *A.* Within the walls, there was for one with them, three against them; but, without the walls, for one against them, there were five for them. 8. What was to be done with the Tower? *A.* They could conclude nothing in that point. 9. Where the chief commanders dwelt? *A.* Every parish could tell what new commanders and captains they had, and who of the militia dwelt in it. 10. What time this should be put in execution? *A.* The time was wholly left to the lords.'—After all these Quæries, thus propounded and answered, Mr. Waller told them, That he would acquaint the lords with those Answers that he had received from them to their Quæries; and wished them not to be troubled, though the lords did not yet declare themselves, for they could do them as good service in the house. Being proceeded thus far, they came then to some Propositions which should be put in execution, and they were these: 1. That they would take into their custody the king's children that were here. 2. That they would lay hold of all those persons that they thought should be able to stand in their way, or to give them any impediment, or at least of some considerable number of them; it is unlike that all were named, but some were named, of the lords house there was named my lord Say and my lord Wharton; and besides my lord mayor, whom they took into their consideration as the head of the city, there was named of the house of commons, sir Philip Stapylton, Mr. Hampden, Mr. Strode; and they did me the honour and favour to name me too.—When they had taken into consideration the surprizal of these members of both houses, they did take into their further resolution, that, with my lord mayor, should have been seized all your committee of militia; they would not spare one of them.—They intended further, that they would release all prisoners that had been committed by the parliament; that they would seize upon the magazines; that they would make a Declaration to satisfy the people.—There are no designs, be they never so ill, but they do put on a mask of some good, for betwixt that that is absolutely and apparently ill, there is no congruity with the will of man; and therefore the worst of evils are undertaken under a shadow and a shew of goodness: a Declaration must be set out, to make the people believe that they stood up for the preservation of religion, of the king's prerogative, of the liberties of the subject, of the privileges of parliament; and of these 1000 copies were to be printed; they were to be set upon posts and gates in the most considerable and open places; and they were to be dispersed, as much as they could, through the city against the time it should be put in execution: this was done upon Saturday last was se'nnight, in the morning.—Then, in the next place, they thought fit to give intelligence to the court of what proceedings they had made here; and thereupon Mr. Hazel was sent to Oxford, that very Saturday in the afternoon, from Mr. Waller's house. There were two messages sent by him for this main design they would not trust in writing: the first message was from Mr. Waller, That he should tell my lord of Falkland, that he would give him a more full notice of the great business very speedily: the other message was from Mr. Tomkins, and that was, That the Design was now come to good maturity; that they had so strong a party in the city, that though it were discovered, yet they would be able to put it in execution: they promised to give notice to the king of the very day, and, if it were possible, of the very hour, wherein this should be put in execution; and then they did desire, when they had seized upon the outworks, that there might some party of the king's army come up within 15 miles of the city, who, upon knowledge of their proceedings, must be admitted into the city. These were the 4 points upon which the message did consist, which was sent from Mr. Tomkins to my lord of Falkland by Mr. Hazel. To both these Messages my lord of Falkland, returned an Answer by word of mouth; (they kept themselves so closely that they durst not venture to write) and he bid the messenger tell Mr. Waller, Mr. Tomkins, and Mr. Hambden, (a gentleman that was sent up with a message from the king, and remained here in town to agitate this business, and made that use of his being here in town) That he could not well write, and did excuse himself; but prayed them that they would use all possible haste in the main business.—Mr. Waller having plotted it, and brought it on thus far, now he began to think of pushing it further: and, the Tuesday following this Saturday, which was Tuesday was se'nnight in the evening, after he came home to his lodgings, Mr. Tomkins and he being together, he told him, That the very next morning, that was Wednesday, the Fast-Day, he should go to my lord of Holland, and acquaint him with this Plot, and discover so much to him as he thought fit; that he himself would go to some other lords, and do the like, This was the Tuesday night, in which conference they put on that confidence in expectation of success in this Plot, that Mr. Waller broke out with a great oath to affirm, That if they did carry this throughout, then they would have any thing. This he spake to

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Mr. Tomkins with a very great deal of earnestness and assurance. So far they went on in hope and expectation, but here they were cut short: That very night there were warrants issued upon some discoveries that were made of this Plot, to the lord mayor, and to the sheriffs here; which they did execute with so much diligence and care of the good of the city, that the next morning, when Mr. Tomkins and Mr. Waller should have gone about their business, they were apprehended, and the rest of the citizens, divers of them, but some escaped.—Thus far I have discovered to you the materials and the lineaments of this mischievous Design; you shall now be pleased to hear the Proofs and the Confessions out of which this Narration doth arise, and that will make all this good to you that I have said. And, after those are read, I shall then tell you what hath been done since in the house of commons, somewhat in the house of lords, and what else is in proposition to be offered to you from the commons; but I shall desire you first that you may be fully convinced of the great goodness of God in discovery of this Plot, and the truth of these things that I have spoken to you, that you will hear the evidence of the Proofs; and then we shall go on to those other things which we have in charge."—The Proofs being read, Mr. Pym proceeded thus: 'Gentlemen, we have held you long, you are now almost come to the end of your trouble; I am to deliver to you some short Observations upon the whole matter, and then to acquaint you with the Resolutions thereupon, taken in the house of commons; and to conclude with a few desires from them to you. The Observations are these: 1. I am to observe to you the contrariety betwixt the pretences, with which this Design hath been masked, and the truth: one of the pretences was peace; the truth was, blood and violence: another of the pretences was, the preserving of property; the truth was, the introducing of tyranny and slavery, which leaves no man master of any thing he hath. 2. The unnatural way by which they meant to compass this wicked Design, that was, to destroy the parliament by the members of parliament; and then, by the carcass and shadow of a parliament, to destroy the kingdom: what is a parliament but a carcass when the freedom of it is suppressed? When those shall be taken away by violence, that can, or will, oppose and stand in the way of their intentions? The high court of parl. is the most certain and constant guardian of liberty; but if it be deprived of its own liberty, it is left without life or power to keep the liberty of others. If they should bring a parliament to be subject to the king's pleasure, to be correspondent, as they call it, to his will, in the midst of such evil councils which now are predominant, there would little or no cure be left; but then all things that are most mischievous would seem to be done by law and authority. 3. With what an evil conscience these men undertook this work: They that pretended to take arms to defend their own property, obtained a commission to violate the property of others: they would take the assertion of the laws of the land, but assumed to themselves such a power as was most contrary to that law; to seize upon their persons without due process; to impose upon their estates without consent; to take away some lives by the law martial; and, besides all this, without any commission, they intended to alter the government of the city, which is now governed by your own council, by a magistrate chosen by yourselves, then to be governed by violence. 4. That the mischievous effect of this Design would not have ceased in the first night's work; all the godly part in the kingdom, all faithful ministers especially, would have been left not only to the scorn and reproach, but to the hatred, malice, and cruelty of the papists and malignants. 5. That this matter was prosecuted in part, and agitated and promoted by those that were sent from the king, and seemed to be messengers of peace; and while we should be amused with the pretences of gracious Messages to propose Peace this villainous project, which should have set you all in blood, was promoted by those messengers, and should have been put in execution very shortly after.—The Matters resolved on in the house of commons are these things: 1. That there may be public Thanksgiving to God, both in the city and throughout the kingdom, for this great deliverance; that a near day be appointed for the city, the parliament, and the parts adjacent, and a convenient day for other parts of the kingdom. 2. That the house of peers should be made acquainted with these Proofs, and with all this discovery; which hath been done accordingly. 3. That there should be a Covenant made, whereby we should both testify our detestation of this mischievous Plot, and join ourselves more closely in the maintenance of the common interest of the church and commonwealth, in religion and liberty, which are still in great danger, and would have been utterly subverted, if this project had taken effect. 4. That this should be communicated to you of the city; that so as you have a great part in the blessing, you may do your part in the duty of Thankfulness, together with us. 5. That it shall be communicated to the army, that they likewise take notice of this great mercy of God, and join with us, both in the Thanksgiving and in the Protestation and Covenant, as we shall likewise desire you of the city to do.—Then we are commanded to give Thanks to my lord mayor, to the sheriffs, and to the rest of the officers of the city, for their great care in the apprehending of these persons, in guarding the peace and quiet of the city. We are likewise to give thanks to those gentlemen, that have had the custody of these prisoners. We know it cannot but be a trouble to them; but there was no means to keep them safe from Messages one to another, and from Speeches, but by such a way of putting them in honest men's hands; therefore the commons have commanded us to give them

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special thanks for their undertaking this care, and to assure them that they will see them fully recompenced for all the trouble and charge they shall undergo by it.—And we are to give you thanks, which are the citizens of this city, for your good affections to the public cause, and for your continual bounty for the support of it.—Thus far we are enjoined by the Resolution of the house: now we are further to entreat you to hear both the Covenants; you shall thereby know to what we have bound ourselves, and to what we desire you shall be bound. There are two Covenants; that is, one proper for the houses of parliament, which hath been taken in the house of commons by all the members, even by those gentlemen that are named in the Examinations to have been privy to this Plot, which they all have disavowed; and the other Covenant is to be taken by all the other part of the kingdom; by the citizens, by the army, and the rest of the people generally in all places.—The draught of these two Covenants we shall communicate to you; the house of lords they have had them already, and have taken them into consideration; and we hear they do resolve, That what is appointed for them shall be taken by the members of that house.—We are further to desire you, That you would co-operate with the Divine Providence, in God's great mercy to this city, and the whole kingdom: God doth not only do good, but thereby gives assurance that he will do good; his mercies they are comforts for the present, they are pledges for the future; but yet our care must not cease.—We are to desire that you would keep your guards, and look well to your city; and that you would find out these evil members that are among you, as near as may be; that so, for the time to come, this Plot may be prevented, as hitherto it hath been stopped; for out of doubt all the malignity is not drawn out of them, though the opportunity is hindered for the present putting it in execution.—I am to tell you further, That, in desire to win those that shall be taken with remorse for this wicked Design and Conspiracy, it is resolved, That if any man shall come in before the 15th day of this present June, and freely confess his fault, and what he knows of this conspiracy, that he shall have a full, free, and plenary pardon for the time to come, except those that are already taken or fled; I say, those that come in voluntarily shall be pardoned. Your care, and our care, they will be all little enough; we hope God's blessing will be so upon them both, that you shall be restored to a full Peace; and that, in the mean time, you shall enjoy such a degree of safety and prosperity, as may make way to it."

The Covenant taken by the Lords on that Occasion.] June 9. The lords having considered of the Vow and Covenant, brought up by the commons, judged it a voluntary Oath, and proper to be given to every member of their house, in a solemn and serious manner. Accordingly, every lord, beginning at the youngest baron, and going upwards according to their degrees, held the Paper in their hands and read it distinctly as follows:

"Whereas there hath been, and now is, in this kingdom, a Popish and traiterous Plot, for the subversion of the true Protestant Reformed Religion, and the liberty of the subject: and, in pursuance thereof, a Popish army hath been raised, and is now on foot in divers parts of this kingdom. And whereas there hath been a treacherous and horrid Design lately discovered by the great blessing and special providence of God, of divers persons, to join themselves with the armies raised by the king, and to destroy the forces raised by the lords and commons; to surprize the cities of London and Westminster, with the suburbs, and, by arms, to force the parliament; and finding, by constant experience, that many ways of force and treachery are continually attempted to bring to utter ruin and destruction the parliament and kingdom, and, that which is dearest, the true Protestant Religion; and that, for the preventing and withstanding the same, it is fit that all, who are true-hearted and lovers of their country, should bind themselves each to other in a sacred Vow and Covenant:—"I, A B, in humility and reverence of the Divine Majesty, declare my hearty sorrow for my own sins, and the sins of this nation, which have deserved the calamities and judgments that now lie upon it: and my true intention is, by God's grace, to endeavour the amendment of my own ways. And I do further, in the presence of Almighty God, declare, vow, and covenant, That, in order to the security and preservation of the true Reformed Protestant Religion, and Liberty of the Subject, I will not consent to the laying down of arms, so long as the papists, now in open war against the parliament, shall, by force of arms, be protected from the justice thereof: and that I do abhor and detest the said wicked and treacherous design lately discovered; and that I never gave nor will give my assent to the execution thereof; but will, according to my power and vocation, oppose and resist the same, and all others of the like nature: and in case any other like Design shall hereafter come to my knowledge, I will make such timely discovery as I shall conceive may best conduce to the preventing thereof. And whereas I do in my conscience believe, That the forces raised by the two houses of parliament, are raised and continued for their just defence, and for the defence of the true Protestant Religion and Liberty of the Subject, against the forces raised by the king; that I will, according to my power and vocation, assist the forces raised and continued by both houses, against the forces raised by the king without their consent: and will likewise assist all other persons that shall take this Oath, in what they shall do in pursuance thereof; and will not, directly or indirectly, adhere unto, nor willingly assist, the forces raised by the king, without the consent of both houses. And this Vow and Covenant I make

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in the presence of Almighty God, the Searcher of all Hearts, with a true intention to perform the same, as I shall answer at the Great Day, when the secrets of all hearts shall be disclosed."

At the same time, however, it was moved and agreed to by the lords, That a short Declaration might be drawn up, and taken by them, the house of commons, and the whole kingdom, declaring their loyalty to the king's person, his crown and dignity; and a committee of 11 lords were ordered to draw it up and report it to the house.

June 11. The earl of Portland and the lord viscount Conway being accused by the commons, of being concerned in Mr. Waller's Plot, they were sequestered from the lords house and committed; the one to the custody of the lord mayor of London, and the other to one of the sheriffs; but their lands and goods not to be seized on, till, upon trial, it appeared they were guilty of the charge against them.

Ordinance for restraining the Liberty of the Press.] The Liberty of the Press having of late been very grievous to the parliament, they passed an Ordinance to restrain it, and to strengthen some former Orders made for that purpose. The preamble to this Ordinance sets forth,

"That whereas divers good Orders have been lately made, by both houses of parliament, for suppressing the great abuses and frequent disorders in printing many false, forged, scandalous, seditious, libellous, and unlicenced papers, pamphlets, and books to the great defamation of religion and government; which have taken little or no effect, by reason the bill in preparation, for redress of the said disorders, hath hitherto been retarded: and that through the present distractions, very many persons, as well stationers and printers, as others of sundry other professions, have taken upon them to set up private printing presses in corners; and to print, vend, publish, and disperse books, pamphlets and papers, in such multitudes, that no industry could be sufficient to discover or bring to punishment all the several abounding delinquents: therefore, &c." The most material Clauses are these; "That no Order or Declaration of either house shall be printed without order of one or both the said houses; nor any other book, pamphlet, paper, nor part of any such book, pamphlet, or paper, shall from henceforth be printed, bound, stitched, or put out to sale, by any person or person whatsoever, unless the same be first approved and licenced under the hands of such persons as both, or either, of the said houses shall appoint for licencing of the same; and be entered in the Register Book of the Company of Stationers, according to antient custom, and the printer thereof to put his name thereto.—The master and wardens of the said company, the gentleman-usher of the house of peers, the serjeant of the commons house, and their deputies, together with the persons formerly appointed by the committee of the house of commons for examinations, are authorized and required to make diligent search in all places, where they shall think meet, for all unlicenced printing presses, and all presses any way employed in the printing of scandalous or unlicenced papers, pamphlets or books; and to seize and carry away such printing presses, letters and other materials, of every such irregular printer, which they find so misemployed, unto the common-hall of the said company, there to be defaced and made unserviceable, according to antient custom; and likewise to make diligent search in all suspected printing houses, ware-houses, shops and other places, for such scandalous and unlicenced books, papers, pamphlets, and all other books, not entered, nor signed with the printer's name as aforesaid, being printed, contrary to this Order; and the same to seize and carry away to the said common-hall, there to remain till both or either house of parliament shall dispose thereof; and likewise to apprehend all authors, printers, and other persons whatsoever employed in compiling, printing, stitching, binding, publishing and dispersing of the said scandalous, unlicenced, and unwarrantable papers, books, and pamphlets as aforesaid; and all those who shall resist the said parties in searching after them, and bringing them before either of the houses or the committee of examinations, that so they may receive such further punishments as their offences shall demerit; and not to be released until they have given satisfaction to the parties employed in their apprehension for their pains and charges, and sufficient caution not to offend in like sort for the future.—All justices of the peace, captains, constables and other officers, are ordered and required to be aiding and assisting to the aforesaid persons in the due execution of all and singular the premises, and in the apprehension of all offenders against the same; and, in case of opposition, to break open doors and locks, &c."

Declaration made by the Lords, of their Loyalty to the King's Person.] June 16. The earl of Northumberland reported from the committee a draught of what they thought proper to be taken, to declare the Loyalty of the Lords to the King's Person, his crown and dignity; which was read: viz. "We the lords and commons do further declare, That our intentions have been, and still are, to our power, to maintain, preserve, and defend his majesty's person and just rights of the crown; together with the persons of his royal issue; and that we shall use our utmost endeavours in pursuance of the same." Ordered, To communicate this to the commons: and, at the same time, to offer somewhat to them for composing the present Distractions and settling Peace between the king and parliament.

Draught of a Petition to the King for Peace.] June 17. A committee of lords were appointed to consider of this last Article; and, after some time, the lord Say and Sele brought in a Draught of what they had to offer for that purpose; which was as follows:

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"May it please your most excellent majesty; We your loyal subjects, the lords and commons in parliament assembled, having a deep sense of the present miseries of this your kingdom, and of the Christian blood, the blood of your subjects, that hath been spilt in this unnatural war: to prevent the desolation and ruin of this kingdom, the destruction of your people, and the danger of your own royal person and children, do again, in all humility, petition your majesty, that you will be pleased, before the armies be engaged in battle, they being now drawn near together, to accept of our humble Answer to your majesty's first Proposition, and agree unto the first Proposition presented unto you by the hands of our commissioners, for the Disbanding of all Armies; whereby your kingdom will be restored to the former happy condition of peace, and the sad accidents and consequences of a civil war be prevented; and that, as the most likely means to compose and settle these unhappy differences between you and your people, you will please to return to your parliament, your great and and most faithful council, whose advice your maj. will find more conducing to your greatness, honour, and safety, than the council of some few about you; whose counsels if they may prevail, we find all our petitions and endeavours for the peace of this kingdom, to be fruitless.—If God shall make us so happy as to incline your majesty's heart to this our humble Petition, which your parliament and kingdom may expect from your justice and goodness; our endeavours and counsels shall all be directed to settle the true protestant religion, your majesty's just rights, the preservation and safety of your royal person and children, and the laws of the kingdom, the liberties of the subject, and the privileges of parliament."

Ordered, That this Petition be communicated to the commons at a conference.

The King's Proclamation forbidding Obedience to the Parliament, and for calling the Members to him at Oxford.] June 26. The lord Say and Sele acquainted the lords, That he had received a Letter from the King, in which was inclosed a Proclamation from his majesty, which was read:

"Whereas we have been long since driven by force and violence from our palace at Westminster, (the place of sitting for us and our two houses of this parliament) so that we could not, with safety of our life, be present with our Great Council; and much the greater part of the members of both houses have been likewise driven by tumults and force, for their safety, from their attendance upon that council, the said members having been threatened and assaulted for delivering their opinions freely in the houses; or have, out of conscience and duty, withdrawn themselves from being present at the debates and resolutions, which they have well known to be so contrary to their duty and allegiance; or for so withdrawing, or for freely speaking in the houses, have been expelled or suspended from being members of that council, contrary to the antient practice and just privileges of parliament. Since which time, and by which means, a great and rebellious army hath been raised against us, under the command of Robert earl of Essex; which army hath not only endeavoured to take away our life from us in a set battle, but the same, and other forces raised by the like means, have committed all the acts of outrage, robbery, and murder, upon our good subjects throughout the kingdom, and still continue to do the same.—And though, in truth, a very small part of that Great Council remain there together; yet, under pretence of having the countenance of our two houses of parliament, some seditious persons assume to themselves (with the assistance of those rebellious armies, and of divers mutinous and desperate Brownists, Anabaptists, and other ill-affected persons in our city of London, by whose means they awe such members of both houses who yet continue amongst them) a power to do things absolutely contrary to the laws of the land, and destructive to our rights, and to the liberty and property of the subject, and to alter the whole frame and government of this kingdom; disposing of the lives and fortunes of us and our good subjects, according to their discretion; subjecting both to their own unlimited arbitrary power and government.—We have only accused some particular persons, whom we well know to be the authors and contrivers of these deperate counsels and actions; and have forborne to censure, or charge, the whole number of the members remaining, by whose orders and authority the evils have been pretended to be done; hoping that the sense of the miserable distractions of the kingdom would, at length, have brought them to discern where they had erred; and our often Messages and complaints of the violence offered to us, and to the members of both houses, would have procured justice and redress: and that the power and reputation of such amongst them, who wished well to the peace of the kingdom, and honour and dignity of parliaments, would have at last so far prevailed, that a right understanding might have been begotten betwixt us and our people; and all shew of force and violence so taken away and suppressed, that we might, in a full and peaceable convention of parliament, with the advice of that our Great Council, have so settled the present distempers, that there might be no fear left of the like for the future.—But finding, to our great grief, that the power of those seditious persons, who first contrived these desperate and bloody distractions, continues so great; that as they have driven, and now keep us, and the much greater part of both houses, from being present at that Council; so they so far awe those who remain there, that they cannot, with freedom, give their Votes and Resolutions according to their consciences, and the laws and constitutions of the kingdom: that the members of both houses have been compelled to make Protestations to live and die with the Earl of Es-

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sex, the general of the rebellious army, and other unlawful and treasonable Protestations; and that such who have refused to take the said Protestations, have been expelled and imprisoned for such their refusal: that the great affairs of the kingdom are managed and concluded by a private committee, without being ever reported to the houses, contrary to the laws and rules of parliament: that the common council of London, most of them being persons factiously chosen out of Brownists, Anabaptists, and such who oppose the regular wholesome government of that city, and have promised themselves the destruction of the church, are grown the superintendants over both houses, and obtrude upon them what conclusions and resolutions they please: that they take upon them to justify this Rebellion against us, and have presumed, under pretence of the Order of both houses, to invite foreign forces to invade this kingdom: to send agents to foreign princes, to negotiate and treat with them in their own names: to imprison our good subjects contrary to law, prohibiting our judges to grant habeas corpus according to law: to introduce a new clergy throughout the kingdom, by displacing godly learned divines, without the least colour of law or judicial proceedings, and putting ignorant and seditious preachers in their places, to poison the hearts of the people: to countenance the vilifying of the Book of the Common-Prayer, established by the law of the land: to seize, levy, and take away what they please of the estates and fortunes of our subjects, by disposing of the 20th part of their estates, by exhausting them with unsupportable Weekly Taxes for the maintenance of their rebellious army, and by endeavouring to lay odious exercises upon victuals, goods, and merchandize of our people for the same purpose; while they suffer our poor protestant subjects of our kingdom of Ireland, whose defence was undertaken by our two houses, and that army raised for the suppressing of that horrid Rebellion to be starved and in danger of disbanding, or necessitated to desert that kingdom for want of money, victuals, and such other necessaries as were to be provided for them by act of parliament, out of those monies which they have spent to destroy us and this kingdom: by exacting from merchants Tunnage and Poundage, and other impositions upon merchandizes, as well native as foreign, contrary to an act made this present parliament, with a penalty of premunire on those who shall pay or receive it: and, lastly, That they have (after the breaking off the late Treaty, by a peremptory recalling their committee, who, in truth, during their abode with us, had no power to treat by reason of their strict limitation) so far rejected all possible means and overtures of treaty and accommodation, that, instead of answering our gracious Messages, the house of commons hath imprisoned our messenger sent by us to them, to invite both houses to an Accommodation; and especially to move them to take such a course for the freedom of parliament, that we might safely advise with that our Great Council for the settling those miserable distractions and distempers: and hath maliciously, and in contempt of us, (after an attempt to murder our royal consort in Bridlington Road, the place of her landing) impeached her of high treason, for assisting us with arms and ammunition to defend us from this rebellion: it is time now to let our good subjects know, that they may no longer look upon the votes and actions of the persons now remaining, as upon our two houses of parliament; freedom and liberty to be present, and of opinion and debate there, being essential to a parliament; which freedom and liberty all men must confess to be taken away from this assembly, when they remember the great tumults brought down to awe and terrify both houses; and that they were then brought down when any great debate was in either house, and not like to be so carried as some seditious persons, who governed those tumults, did desire; that, in the greatest heat and fury of those tumults, the principal governors amongst them directed the unruly people to go to Whitehall, where our own person then was; and designed, by force, to have surprized the person of our son the prince; that, when it was desired that a Declaration might be made against such tumults, instead of consenting thereunto, the tumults themselves were justified; and when a legal course was prescribed by the lords, and taken by the proper ministers of justice, to suppress and prevent such tumults and riots, that legal course was superseded by those who were then present of the house of commons, and the ministers of justice punished and imprisoned for executing the law. When they remember that several members of either house have been threatened and assaulted in those tumults, and their own names proscribed as persons disaffected, because they freely used to speak their consciences in both houses: that the house of peers have been so far threatened and menaced, that the names of those have been, with threats, demanded by the house of commons at the bar of the lords house, who refused to consent to this or that proposition which had been in debate before them; and tumultuous Petitions countenanced, which have been presented to that same purpose: that the members of both houses have been imprisoned, and forbid to be present at those councils, for no reasons but because their opinion hath not been liked: that our negative voice (our greatest and most sovereign privilege) is boldly denied: that a presumptuous attempt hath been made by the major part of the remaining part of the house of commons to make our Great Seal of England; the making of which, by the express letter of the law, is High Treason, and would subvert the antient and fundamental administration of justice: that, at this time, we and the major part of both houses are kept, by a strong and rebellious army, from being present at that Council; and that those

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who are present are, by the same army, awed and forced to take unlawful and treasonable Protestations to engage their votes: and that such resolutions and directions, which concern the property and liberty of the subjects, are transacted and concluded by a few persons, (under the name of a Close Committee, consisting of the earl of Manchester, the lord Say, Mr. Pym, Mr. Hampden, Mr. Stroud, Mr. Martin, and others, the whole number not exceeding 17 persons) without reporting the same to the houses, or having the same confirmed by the houses, contrary to the express law and customs of parliament.—All these, for the matter of fact, we are ready to make proof of, and desire nothing but to bring the contrivers of all the aforesaid mischiefs to their trial by law; and, till that be submitted to, we must pursue them by arms or any other way, in which our good subjects ought to give us assistance to that purpose: the imagining the death of us, our royal consort, or our eldest son; the levying war against us in our realm, giving to them aid or comfort; the counterfeiting our Great Seal or Money, being by the express words of the statute of the 25th of Edw. 3. c. 2. high treason: and how applicable this is to those who have borne arms against us, and to those who have consented that such arms be borne; to those who have promised to live and die with the earl of Essex, and to those who every day consent to some act for the support and increase of that army, we shall leave to all the world to judge; and hope that this gracious warning and information, now given by us, will make that impression in the hearts of our people, that they will no longer suffer themselves to be misled from their duty and allegiance upon any pretences whatsoever; and we do declare, That we shall proceed with all severity against all persons whatsoever, who shall henceforward assist, vote, or concur in any kind toward the maintenance and countenancing such actions and resolutions, which, by the known and express laws of the land, are high treason; and against all those who shall adhere to them, who are in rebellion against us, as against rebels and traitors, in such manner as by the laws and statutes of the realm is directed and appointed.—And since by the power of seditious persons, we and both houses are kept from being secured against tumultuous assemblies, and both houses from adjournment to some place of safety; which, being done, might quickly make an end of these miserable distractions, whereby we are debarred from the benefit and advice we expected from that our Great Council, the members thereof being scattered into several places: therefore, that the whole kingdom may see that we are willing to receive advice from those who are trusted by them, though we cannot receive the same in the place to which they were called, for the reasons aforesaid, nor intend to receive advice from them elsewhere in the capacity of houses of parliament: We do hereby declare, That such of the members of both houses, as well those who have been by the faction of the Malignant Party expelled for performing their duties to us, and into whose rooms no persons have been since chosen by their countries, as the rest who shall desire our protection, shall be welcome to us at our city of Oxford; until, by the adjournment of the houses to some fit and free place, or otherwise, due course be taken for the full and free convention in parliament of us and all the members of both houses: and for their better encouragement to resort to us, we hereby will and command all the officers and soldiers of our army to suffer all such persons who are members of either house, with their attendants and servants, to come to us to this our city of Oxford.—And that none of our good subjects may believe that, by this our necessary Declaration against the freedom and liberty of that present assembly, we may have the least intention to violate or to avoid any act or acts passed by us for the good and benefit of our people this parliament; we do hereby declare to all the world, That we shall, as we have often promised, as inviolably observe all those acts, as if no such unhappy interruption had happened in the freedom and liberty of that council: and desire nothing more than to have such a free convention in parliament, that we may add such further acts of grace as shall be thought necessary for the advancement of the true protestant religion, for the maintenance of the liberty and property of the subjects, and the preservation of the liberty, freedom, and privileges of parliament.—And that all the world may see how willing and desirous we are to forget all the injuries and indignities offered to us by such who have been misled through weakness or fear, or who have not been the principal contrivers of the present miseries; we do offer a free and general Pardon to all the members of either house (except Robert e. of Essex, Rob. e. of Warwick, Edw. e. of Manchester, Henry e. of Stamford, Wm. visc. Say and Sele, sir John Hotham, sir Arth. Haslerig, sir H. Ludlow, sir Edw. Hungerford, and sir Francis Popham; Nath. Fiennes, John Hampden, John Pym, William Stroud, Henry Martyn, and Alex. Popham; Isaac Pennington alderman of London, and captain Ven; who, being the principal authors of these present calamities, have sacrificed the peace and prosperity of their country to their own pride, malice, and ambition; and against whom we shall proceed as against persons guilty of high treason by the known laws of the land; and shall, in the proceeding, be most careful to preserve to them all privileges in the fullest manner that, by the law or the usage of former times, is due to them, if they shall, within ten days after the publishing of this our Proclamation, return to their duty and allegiance to us.—And, lastly, we further command and enjoin all our subjects, upon their allegiance to us, as they will answer the contrary to Almighty God, and as they desire that they and their posterity should be freed from the foul taint of high treason,

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and as they tender the peace of this kingdom, That they presume not to give any assistance to the before-mentioned rebellious armies, in their persons or estates in any sort whatsoever; but join with us, according to their duty and the laws of the land, to suppress this horrid rebellion. And our pleasure and command is, That this our Proclamation be read in all churches and chapels within this our kingdom. Given at our Court at Oxford, the 20th of June, 1643."

Resolutions of the Lords on the foregoing Proclamation.] After reading this Proclamation the lords agreed, That it declared this parliament to be no true parliament; and that the king would not receive whatsoever came from them; thereupon they resolved to communicate this to the commons, at a conference, and appointed a committee of 4 lords to consider of the sense of this house, to be delivered on this occasion; as, also, to draw up a proper Answer to the Proclamation. Soon after the lord Say and Sele, from this committee, brought in the following:—"The lords do apprehend that the foregoing Proclamation, whereby this parliament is declared to be no free parliament, and the people are required not to look upon the votes or actions of the persons now remaining as upon the two houses of parliament, is destructive as to the present parliament and all acts therein, so also to the established government of this kingdom; which Declaration being maintained and pursued by force, the lords do conceive themselves bound to defend this present parliament, and to maintain the freedom thereof, with their lives and fortunes, and are resolved so to do. They think it fit, also, that a Declaration be made to that purpose to all the kingdom, and to invite therein all Englishmen to join with them; assuring such as shall do so that they shall be embraced and received into the protection of the parliament, and acknowledged as those who have done a good service to the state; except it be such pessons who shall appear to be the contrivers of these destructive counsels, those to be named and excepted in the Declaration; and to this end to desire, that a committee of both houses may be named to meet to draw up the Declaration, their lordships being resolved to name four lords for that purpose."

Letter from the E. of Essex, desiring the Advice of Parliament.] July 1. The Speaker acquainted the lords, that he had received a Letter from the Lord-General; which was read as follows:

"My lord; Since the coming of the army to this place, the unseasonableness of the weather, and some other accidents, hath prevented many things which I purposed to have attempted, had God seen it fit; and therefore I much desire that some of the lords of your house might be sent down, together with some of the commons, that we may debate things of great necessity to be considered of; which I must desire may be done with all possible speed; that, upon a result of what may be offered, you may receive full satisfaction of our condition; which I leave to the wisdom of the house, resting, &c.

"ESSEX. Thame, June 30, 1643."

A conference being held between the two houses on the subject of this Letter, the result of it was, That the lords named the earl of Holland and the lord Grey of Werk to go, with a proportionable number of the commons, to the general: but the next day of meeting, July 3, the said lords being returned, reported to the house, That they set out on their Journey, and got as far as Aylesbury, where they met with another letter from the lord-general, informing them that the king's forces were abroad that way; and therefore advising them not to proceed any further.

Mr. Waller's Speech in his own Defence, concerning the late Plot.] July 4. Mr. Waller was brought to the bar of the commons in order to answer to his charge for being concerned in the late Plot; when his examinations and confessions were shewn unto him, he acknowledged them all to be true. Then being told by the Speaker, if he had any thing more to say, either as to the Plot, or for himself, he had leave to do so, he made the following speech to the house*:

"Mr. Speaker; I acknowledge it a great mercy of God, and a great favour from you, that I am, once more, suffered to behold this honourable assembly. I mean not to make use of it to say any thing in my own defence, by justification or denial of what I have done. I have already confessed enough to make me appear worthy, not only to be put out of this house, but out of the world too. All my humble request to you is, that if I seem to you as unworthy to live as I do to myself, I may have the honour to receive my death from your own hands, and not to be exposed to a trial by the council of war: whatever you shall think me worthy to suffer in a parliamentary way, is not like to find stop any where else—This, sir, I hope you will be pleased, for your own sakes, to grant me; who am already so miserable, that nothing can be added to my calamity—but to be made the occasion of creating a precedent to your own disadvantage: besides the right I may have to this, consider, I beseech you, that the eyes of the world are upon you. You govern in chief, and if you should expose your own members to the punishment of others, it will be thought that you either want power, or leisure, to chastise them yourselves: nor let any man despise the ill consequence of such a precedent, as this would be, because he seeth not presently the inconveniences which may ensue: you have many armies on foot, and it is uncertain how long you may have occasion

*From the original edition printed by G. Dexter, and licenced by John White. Lord Clarendon, after giving a long and particular narrative of this affair, remarks, 'That Mr. Waller did as much owe the keeping his head to this oration, as Cataline did the loss of his to those of Tully.'

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to use them. Soldiers and commanders (though I know well they of the parliament's army excell no less in modesty, than they do in courage) are generally of a nature ready to pretend to the utmost power of this kind, which they conceive to be due to them; and may be too apt, upon any occasion of discontent, to make use of such a precedent as this. In this very parliament you have not been without some taste of the experience hereof; it is now somewhat more than two years since you had an army in the North, paid and directed by yourselves; and yet you may be pleased to remember there was a considerable number of officers in that army, which joined in a Petition, or Remonstrance, to this house, taking notice of what some of the members had said here, as they supposed, to their disadvantage, and did little less than require them of you. It is true, there had been some tampering with them; but what has happened, at one time, may wisely be thought possible to fall out again at another. —Sir, I presume but to point you out the danger: if it be not just, I know you will not do me the wrong to expose me to this trial; if it be just, your army may another time require the same justice of you in their own behalf, against some other member, whom, perhaps, you would be less willing to part with. Necessity has, of late, forced you into untrodden paths; and in such a case as this, where you have no precedent of your own, you may not do amiss to look abroad upon other states and senates, which exercise the supreme power, as you now do here.—I dare confidently say you shall find none, either antient or modern, which ever exposed any of their own order to be tried for his life, by the officers of their armies abroad, for what he did while he resided among them in the senate. Among the Romans the practice was so contrary, that some inferior officers in their army, far from the city, having been sentenced by their general or commander in chief, as deserving death by their discipline of war, have nevertheless (because they were senators) appealed thither, and the cause has received a new hearing in the senate.—Not to use more words to persuade you to take heed that you wound not yourselves, through my sides, in violating the privileges belonging to your own persons, I shall humbly desire you to consider likewise the nature of my offence; (not but that I should be much ashamed to say any thing in dimunition thereof: God knows it is horrid enough for the evil it might have occasioned) but if you look near it, it may, perhaps, appear to be rather a civil than a martial crime, and so to have title to a trial at the common law of the land: there may, justly, be some difference put between me and others in this business.—I have had nothing to do with the other army, or any intention to begin the offer of violence to any body; it was only a civil pretence to that which I then, foolishly, conceived to be the right of the subject. I humbly refer it to your considerations, and to your consciences. I know you will take care not to shed that blood by the law of war, which hath a right to be tried by the law of peace.—For so much as concerns myself and my part in this business, (if I were worthy to have any thing spoken, or patiently heard, in my behalf) this might truly be said, That I made not this business but found it; it was in other men's hands long before it was brought to me, and when it came I extended it not, but restrained it. For the proposition of letting in part of the king's army, or offering violence to the members of this house, I ever disallowed, and utterly rejected them.—What it was that moved me to entertain discourse of this business, so far as I did, I will tell you ingenuously; and that rather as a warning for others, than it makes any thing for myself; it was only an impatience of the inconveniences of the present war, looking on things with a carnal eye, and not minding that which chiefly, if not only, ought to have been considered, the inestimable value of the cause you have in hand, the cause of God and of religion; and the necessities you are forced upon for the maintenance of the same. As a just punishment for this neglect, it pleased God to desert me and suffer me, with a fatal blindness, to be led on and engaged in such counsels as were wholly disproportioned to the rest of my life. This, sir, my own conscience tells me was the cause of my falling, and not malice, or any ill habit of mind or disposition toward the commonwealth, or to the parliament: for from whence should I have it? If you look on my birth you will not find it in my blood: I am of a stock which hath borne you better fruit. If you look on my education, it hath been almost from my childhood in this house, and amongst the best sort of men; and for the whole practice of my life, till this time, if another were to speak for me, he might reasonably say, That neither my actions out of parliament, nor my expressions in it, have favoured of disaffection or malice to the liberties of the people or privileges of parliament.—Thus, Sir, I have set before your eyes, both my person and my case; wherein I shall make no such defence by denying or extenuating any thing I have done, as ordinary delinquents do. My address to you, and all my plea, shall only be such as children use to their parents, I have offended, I confess it. I never did any thing like it before. It is a passage unsuitable to the whole course of my life beside; and for the time to come, as God, that can bring light out of darkness, hath made this business in the event useful to you, so also hath he to me: you have by it made an happy discovery of your enemies, and I of myself and the evil principles I walked by; so that if you look either on what I have been heretofore, or what I now am, and, by God's grace assisting me, I shall always continue to be, you may perhaps think me fit to be an example of your compassion and clemency, —Sir, I shall no sooner leave you, but my life will depend on your breath; and not that alone,

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but the subsistance of some that are more innocent. I might therefore shew you my children, whom the rigour of your justice would make compleat orphans, being already motherless. I might shew you a family, wherein there are some unworthy to have their share in that mark of infamy, which now threatens me: but something there is, which if I could shew you, would move you more than all this; it is my heart, which abhors what I have done more, and is more severe to itself, than the severest judge can be. A heart, Mr. Speaker, so awakened by this affliction, and so intirely devoted to the cause you maintain, that I earnestly desire of God to incline you so to dispose of me, whether for life or death, as may most conduce to the advancement thereof.—Sir, not to trouble you any longer, if I die I shall die praying for you; if I live I shall live serving you; and render you back the use and employment of all those days you shall add to my life."

Mr. Waller expelled.] After this speech, Mr. Waller having withdrawn, he was called in again; and, being by the Speaker required thereto, gave the house an exact account how he came first to the knowledge of this business; as also what lords were acquainted therewith, or had engaged themselves therein. Notwithstanding which he was expelled the house; and so being left to the Council of War, as all the rest of the conspirators had been, he was condemned to die. But Whitlocke tells us, "That the lord-general granted him a reprieve; and, after a year's imprisonment, and paying a fine of 10,000*l.* he was discharged, and travelled into France."

Information of sir J. Hotham's intending to deliver up Hull.] July 4. The commons having received information of some design of betraying Hull to the king, in which sir John Hotham and his son were concerned, sent sir Wm. Strickland up to the lords with a message and several intercepted letters from the aforesaid sir John and his son; in consideration of which, he said, the commons had come to some Resolutions for the better securing and preserving that fortress; which were these: "That sir Wm. Strickland and Mr. Hatcher, members of their house, with the mayor of Hull and sir Matthew Boynton, should be appointed a committee for the government of Hull; and that the former two should go down forthwith to take it upon them: That sir M. Boynton should be appointed colonel of the garrison in that town, and recommended to the general for a commission for that purpose. Sir H. Vane, jun. and Peregrine Pelham, esq. members for Hull, with sir Wm. Allanson, were also added;" to all which the lords agreed.

The Commons order a new Great Seal to be made.] In this message the commons again pressed the lords to consent to the making of a new Great Seal, because, they said, the kingdom was not able to subsist without it; but the lords let them know, That they adhered, in this, to their former resolution; which, when the commons understood, they resolved to give orders for making a new Great Seal themselves, and appointed a committee to see it done with all speed: but they made no use of it till the lords gave their consent on the 12th of Oct. following. The form of it was, a representation of the house of commons, the members sitting, on one side; and the arms of England and Ireland, on the other.

The Lords agree to invite the Scots.] July 5. The commons having received Information of the ill success of the lord Fairfax in the North, and that the marquis of Newcastle had entirely routed his forces at Atherton-Moor, near Bradford, were in great consternation: and, this day, at a conference, communicated this bad news to the lords; earnestly pressing them to nominate a committee of their house, to go forthwith into Scotland, and to desire the Scots nation to send aid and assistance into England against the papists and others, now in arms to destroy the Protestant religion and the liberty of this kingdom. The lords agreed to this, and ordered the lord Grey of Werk to attend the house the next morning for that purpose.

July 11. A Letter from the lord-general, was read in the house of lords, desiring to have 500 horse sent him presently, to recruit his army, and 200 horse a month provided for the same purpose; as likewise a magazine of saddles and horse arms. Another letter of a later date, from the general, was also read, setting forth the distressed condition of his army. Both the houses agreed to supply the lord-general, as he desired; all the troops then raised in London, except those for the immediate defence of it, were ordered to march forthwith; and that there should be a course to supply him with horse, arms, and saddles. There was necessity sufficient for a general reinforcement at this time, the king's troops being every where victorious; for, besides the great victory in the North, already mentioned, sir Wm. Waller was defeated in the West, by the lord Wilmot, sir Ralph Hopton, &c. and his army totally ruined. Prince Rupert had also taken Bristol; so that the king's affairs were now in the most flourishing condition that they ever had been throughout the whole war.

The King's Declaration, after his Victory in the North and West, and the taking of Bristol.] On the day after the king received advice of the taking of Bristol, he published the following Declaration, addressed to all his loving subjects:

"As the grievance and losses of no particular persons, since these miserable bloody distempers have disquieted this poor kingdom, can be compared to the loss and damage we ourself have sustained, there having been no victory obtained but in the blood of our own subjects, nor no rapine or violence committed, but to the impoverishment and ruin of our own people; so a blessed and happy peace cannot be so acceptable and welcome to any man as

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to us. Almighty God, to whom all the secrets of our heart are open, who hath so often and so miraculously preserved us, and to whose power alone we must attribute the goodness of our present condition, how unhappy soever it is with reference to the public calamities, knows with what unwillingness, with what anguish of soul, we submitted ourself to the necessity of taking up defensive arms. And the world knows with what justice and bounty we have repaired our subjects, for all the pressures and inconveniences they had borne, by such excellent laws as would for ever have prevented the like; and with what earnestness and importunity we desired to add any thing for the establishment of the religion, laws, and liberty of the kingdom. How all these have been disturbed, invaded, and almost destroyed, by faction, sedition, and treason, by those who have neither reverence to God nor affection to men, but have sacrificed both to their own ends and ambition, is now so evident, that we hope, as God hath wonderfully manifested his care of us, and his defence of his and our most just cause, so he hath so far touched the hearts of our people, that their eyes are at last opened to see how miserably they have been seduced, and to abhor those persons whose malice and subtilty had seduced them to dishonour him, to rebel against us, and to bring much misery and calamity upon their native country.—We well remember the Protestation voluntarily made by us, in the head of that small army we were master of in September last, to defend and maintain the true reformed protestant religion: and if it should please God, by his blessing upon that army, to preserve us from this rebellion, that we would maintain the just privileges and freedom of parliament, and govern by the known laws of the land; for whose defence, in truth, that army was only raised, and hath since been kept up. And there cannot be a more seasonable time to renew that Protestation than now, when God hath vouchsafed us so many victories and successes, and hath rendered the power of those, who seek to destroy us, less formidable than it hath been, (so that we shall probably not fall under the scandalous imputation, which hath usually attended our Messages of Peace, that they proceed from the weakness of our power, not love of our people) and when there is more freedom in many counties, for our good subjects to receive true information of their own and our condition; the knowledge whereof hath been, with equal industry and injustice, kept from them, as other acts of cruelty have been imposed on them.—We do therefore declare to all the world, in the presence of Almighty God, to whom we must give a strict account of all our professions and protestations, That we are so far from intending any alteration of the religion established, (as hath been often falsely, scandalously, and against the conscience of the contrivers themselves of that rumour, suggested to our people) or from the least thought of invading the liberty and property of the subject, or violating the just privileges of parliament, that we call that God to witness, who hath covered our head in the day of battle, that we desire from our soul, and shall always use our utmost endeavour, to preserve and advance the true Reformed Protestant Religion, established in the Church of England, in which we were born, have faithfully lived, and, by the grace of God, shall resolutely die: That the preservation of the liberty and property of the subject, in the due observation of the known laws of the land, shall be equally our care, as the maintenance of our own rights; we desiring to govern only by those good laws, which, till they were oppressed by this odious rebellion, preserved this nation happy. And we do acknowledge the just privileges of parliament to be an essential part of those laws, and shall, therefore, most solemnly defend and observe them; so that, in truth, if either religion, law, or liberty, be precious to our people, they will, by their submission to us, join with us in the defence of them, and thereby establish that peace, by which only they can flourish and be enjoyed.—Whether these men that be professed enemies to the established Ecclesiastical government; who reproach and persecute the learned orthodox ministers of the church, and into their places put ignorant, seditious, and schismatical preachers; who vilify the Book of Common Prayer, and impiously profane God's worship with their scurrilous and seditious demeanor, are like to advance that religion: whether those men, who boldly, and without the least shadow or colour of law, impose insupportable Taxes and odious Exercises upon their fellow-subjects, imprison, torment, and murder them, are like to preserve the liberty and property of the subject: and whether those men, who seize and possess themselves of our own unquestionable revenue, and our just rights; have denied us our negative voice; have, by force and violence, awed and terrified the members of both houses; and, lastly, have, as far as in them lies, dissolved the present parliament, by driving away and imprisoning the members, and resolving the whole power thereof, and more, into a committee of a few men, contrary to all law, custom, or precedent, are like to vindicate and uphold the privileges of parliament, all the world may judge.—We do, therefore, once more, conjure our good subjects, by their memory of that excellent peace and firm happiness with which it pleased God to reward their duty and loyalty in time past; by their Oaths of Allegiance and Supremacy, which no Vow or Covenant, contrived and administered to and by themselves, can cancel or evade; by whatsoever is dear and precious to them in this life, or hoped or prayed for in the life to come, that they will remember their duty and consider their interest; and no longer suffer themselves to be misled, their prince dishonoured, and their country wasted and undone, by the malice and cunning of those state impostors;

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who, under pretence of reformation, would introduce whatsoever is monstrous and unnatural both to religion and policy: but that they rather chuse quietly to enjoy their religion, property, and liberty, founded and provided for by the wisdom and industry of former times, and secured and enlarged by the blessings upon the present age, than to spend their lives and fortunes to purchase confusion, and to make themselves liable to the most intolerable kind of slavery, that is, to be slaves to their fellow-subjects; who, by their prodigious unheard-of acts of oppression and tyranny, have given them sufficient evidence what they are to expect at their hands.—And let not our good people, who have been misled, or, through want of understanding or want of courage, submitted themselves to unwarrantable and disloyal actions, be taught, by these seducers, that their safety now consists in despair; and that they can only secure themselves, for the ills they have done, by a resolute and peremptory disobedience. Revenge and blood-thirstiness have never been imputed to us, even by those who have not left either our government or nature unexamined with the greatest boldness and malice. And all those who, since these bloody distractions, out of conscience have returned from their evil ways to us, have found that it was not so easy for them to repent as for us to forgive. And whosoever have been misled by those whose hearts, from the beginning, have designed all this mischief, and shall redeem their past crimes by their present service and loyalty, in the apprehending or opposing such who shall continue to bear arms against us, and shall use their utmost endeavours to reduce those men to their due obedience, and to restore this kingdom to its wonted peace, shall have cause to magnify our mercy, and to repent the trespasses committed against so just and so gracious a sovereign.—Lastly, we desire all our good subjects who have really assisted, or really wished us well, now God hath done such wonderful things for us, vigorously to endeavour to put an end to all these miseries, by bringing in men, money, plate, horses, or arms, to our aid; that so we, being not wanting to ourselves, may, with confidence, expect the continuance of God's favour, to restore us all to that blessed harmony of affections, which may establish a firm peace; without the speedy obtaining of which, this poor kingdom will be utterly undone, though not absolutely lost."

Lord Fairfax appointed Governor of Hull.] July 12. At the desire of the commons, the lord Fairfax was made governor of Hull, instead of the commissioners before-named. Sir J. Hotham and his son, with other prisoners concerned in the design upon that town, were now brought up to London; and, this day, a committee extraordinary was appointed by the commons, to take their examinations, and to do all other acts that might tend to the discovery of the whole business. Ordered, also, That no member of that house, or any other person, should visit sir John or his son, nor send any messages to them, without leave of the house.

Lord Grey of Werk committed to the Tower, &c. for refusing to go to invite the Scots Army.] July 17. The lord Grey of Werk having a post in the parliament's army, as lieut. general under the earl of Essex, his lordship shewed great reluctance to go into Scotland, notwithstanding the Lords had joined the earl of Rutland in the commission with him. He made many excuses to avoid this embassy, as leaving his charge, which at this time, the armies being so near one another, would reflect upon his honour: he desired, also, that he might be excused, on account of an ill disposition of body, which would not endure a sea voyage, the only way the parliament had now to send to the Scots with any safety. His lordship making the same excuses to the lords, this day, was ordered to withdraw; when that house, taking into consideration the whole progress of this business, and that, upon his submission to their pleasure, they had appointed a peremptory day for his going, and had also acquainted the commons therewith, the lords therefore insisted on their Order, that he should go; and the earls of Pembroke, Denbigh, and Bolingbroke, were sent out to acquaint him with it. Soon after the said earls returned with this Answer, "That the lord Grey submitted to go, if the house did command him; but desired them to present to their lordships two Petitions: 1. That he might enjoy his place of command in the army. 2. That when he had been in Scotland a-while, and settled affairs in some forwardness, if he found his health so ill that he could not stay there without prejudice to himself and the service, that, upon his humble suit and information thereof to the house, he might be permitted to return home." But the lords not thinking it fit to have any conditions put upon them, ordered the lord Grey to be called in again, and the Speaker to demand his positive Answer: he then said, 'He was not able to go on account of his health.' Hereupon, that house taking this for an absolute denial of their commands, and considering his former Answer in order to vindicate the honour of their house by some exemplary punishment, resolved, That the lord Grey, for his disobedience, should forthwith, be sent prisoner to the Tower. And, the next day, his commission in the army was also taken from him; though, very soon after, he was released from his imprisonment, without any petition, but not restored to his command in the army.

Petition from the Assembly of Divines.] July 19. The following Petition was presented to the lords from the Assembly of Divines sitting at Westminster:

To the right Hon. the lords and COMMONS assembled in Parliament, The HUMBLE PETITION of divers MINISTERS of CHRIST, in the Name of themselves and of sundry others,

"Humbly sheweth, That your petitioners,

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upon serious consideration, and deep sense of God's heavy wrath lying on us, and hanging over our heads and the whole nation, and manifested particularly by the two late sad and unexpected defeats of our forces in the North and in the West, do apprehend it to be our duty; as watchmen for the good of the church and kingdom, to present to your religious and prudent consideration these ensuing requests, in the name of Jesus Christ, your Lord and ours: 1st. That you would be pleased to command a public and extraordinary day of humiliation, this week, throughout the cities of London, Westminster, the suburbs of both, and places adjacent within the weekly bills of mortality, that every one may bitterly bewail his own sins, and cry mightily unto God, for Christ's sake, to remove his wrath, and to heal the land; with professed and renewed resolutions of more full performance of the late Covenant, for the amendment of our ways. 2nd, That you would vouchsafe instantly to take it into your most serious consideration, how you may most speedily set up Christ more gloriously in all his ordinances within this kingdom, and reform all things amiss throughout the land, wherein God is more specially and more immediately dishonoured: among which we humbly lay before you these Particulars; 1. That the brutish ignorance and palpable darkness possessing the greatest part of the people in all places of the kingdom, whereby they are utterly unfit to wait upon God in any holy duty, (to the great dishonour of the gospel, and the everlasting endangering of their poor souls) may be remedied by a speedy and strict charge to all ministers, constantly to catechize all the youth and ignorant people, they being commanded to be subject to it, and all sorts to be present at it; and information to be given of all persons who shall withstand or neglect it. 2. That the grievous and heinous pollution of the Lord's Supper, by those that are grossly ignorant and notoriously profane, may be henceforth, with all Christian care and due circumspection, prevented. 3. That the bold venting of corrupt doctrines, directly contrary to the sacred law of God, and religious humiliation for sin, which open a wide door to all libertinism and disobedience to God and man, may be speedily suppressed every where, and that in such manner as may give hope that the church may be no more infected with them. 4. That the profanation of any part of the Lord's Day, and the days of solemn Fasting, by buying, selling, working, sporting, travelling, or neglecting of God's ordinances, may be remedied by appointing special officers in every place, for the due execution of all good laws and ordinances against the same. 5. That there may be a thorough and speedy proceeding against blind guides and scandalous ministers, by whose wickedness people either lack or loath the ordinances of the lord, and thousands of souls perish; and the removal of the Ark from among us, is, to the trembling of our hearts, evidently threatened: and that your wisdoms would find out some way to admit into the ministry such godly and hopeful men as have prepared themselves and are willing thereunto; without which there will suddenly be such a scarcity of able and faithful ministers, that it will be to little purpose to cast out such as are unable, idle, or scandalous. 6. That the laws may be quicken'd against Swearing and Drunkenness, with which the land is filled and defiled, and under which it mourneth. 7. That some severe course may be taken against Fornication, Adultery, and Incest, which do greatly abound, especially of late, by reason of impunity. 8. That all Monuments of Idolatry and Superstition, but more especially the whole body and practice of Popery, may be totally abolished. 9. That justice may be executed on all delinquents, according to your solemn and religious Vow and Protestation to that purpose. 10. That all possible means may be used for the speedy relief and release of our miserable and extremely distressed brethren, who are prisoners in Oxford, York, and elsewhere, whose heavy sufferings cry loud in the ears of our God; and it would lie very heavy upon the kingdom should they miscarry, suffering as they do for the cause of God. That so God, who is now, by the sword, avenging the quarrel of his covenant, beholding your integrity and zeal, may turn from the fierceness of his wrath, hear our prayers, go forth with our armies, perfect the work of reformation, forgive our sins and settle truth and peace throughout the kingdom. And the petitioners shall ever pray, &c."

This Petition was signed by 47 of the Assembly; and in Answer to it, the lords appointed the next Friday for a solemn Day of Humiliation; and for the rest, they would take the same into consideration.

Commissioners appointed to go into Scotland.] This day a Message from the lords was sent down to the commons, importing, "That since by the earl of Rutland's indisposition of health, he cannot go as their Commissioner into Scotland so speedily as the business requires, and that the lord Grey is imprisoned for contempt, they would think of another lord to be sent in his stead: but, least the affair should suffer by further delay, the lords desired, That the commons would send their Commissioners away presently; and the other should follow with all convenient speed."—About the same time, the commons sent up copies of Credential Letters for their Commissioners, directed to the lord chancellor of Scotland, and the council of state there, and another to the earl of Leven, inviting him to take the command of the army which the Scots should send into England, as having been the Scots general against the rebels in Ireland: assuring him, That it would lay upon this state and them such an obligation, as they should study to answer in a manner proportionable, &c. Along with the former was sent, by the commissioners, a Declaration of the lords and commons in England to the general assembly of the church

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of Scotland, recommending their commissioners to them; as also, Mr. Stephen Marshall and Mr. Philip Nye, both ministers of God's Word, and men of approved faithfulness and abilities in their functions. Also a Declaration of the lords and commons in England, to the kingdom and states of Scotland.

The Parliament's Instructions to the said Commissioners.] We shall subjoin the parliament's Instructions to their Commissioners, as they stand in the Lords Journals:

INSTRUCTIONS, agreed upon by the LORDS and COMMONS in PARLIAMENT, for John earl of Rutland, sir Wm. Armyn, bart. sir Henry Vane, jun. knight, Tho. Hatcher, and Henry Darley, esquires, appointed Commissioners to the kingdom of Scotland.

"You shall forthwith repair to the kingdom of Scotland, either to Edinburgh or other parts as you see cause; and you shall make your addresses to the parliament or any deputed by them, to the assembly of the states or any commissioners appointed by them, the general assembly of the church or the commissioners of the general assembly, the lords of the secret council, commissioners for conservation of the peace of the kingdom, the commissioners of common burdens, and such others as shall have power and authority to treat with you, upon such matters as you have received or shall receive in charge, and to negociate in that kingdom as commissioners of and from the parliament of England. II. You shall take all fit ways and opportunities to make known to the state and nation of Scotland the great miseries, calamities, and dangers, brought upon this church and kingdom by the faction of papists and prelates, and their adherents; whereby we are disabled, for the present, to make payment of those great debts which are owing to them for the remainder of the Brotherly-Assistance money, and the arrear of their army in Ireland. III. You shall take care of stating and settling all accounts, debts and demands, betwixt the two nations of England and Scotland; and, the same being reduced to a certainty, you shall treat and compound for the time and manner of satisfaction for the said debts, in such manner as shall stand with justice and the conveniency of both kingdoms. IV. As touching the remainder of the Brotherly-Assistance money, it is conceived most just and reasonable (because the war upon the subjects and people of Scotland, begun and prosecuted in 1640 and 1641, was procured by the faction of papists, prelates, and their adherents, which was the cause of the coming of the Scots into this kingdom, and of the engagement thereupon made for their satisfaction) that sufficient lands of papists, prelates, and other malignants as have adhered to them, shall, by the direction and appointment of both houses of parliament, be set forth, out of which recompence shall be made for the forbearance of that money, until such time as satisfaction shall be given for the discharge of all the said debts, with the interest and consideration for the forbearance thereof. V. As for the arrears due to the Scots army in Ireland, it being impossible for this state, by reason of the manifold troubles and burdens which lie upon it, to make present payment, it is desired, That our brethren of Scotland think upon some other way how we may give satisfaction, either in the confiscated lands in Ireland by way of adventure, according to the rates and proportions at which they are to be delivered to the English adventurers; or else by instalment, at 4 equal payments, within two years after the peace of this kingdom shall be settled; or else in provision in victuals and apparel, to be delivered at reasonable rates in Scotland, or any other place; or any other way within the power of the two houses, it being our earnest desire to give our brethren full contentment herein, so far as God shall enable us thereunto. VI. You shall, according to the precedent Articles, treat and conclude for the discharge of both the debts aforementioned; that is, the remainder of the Brotherly-Assistance money and the arrear of the army in Ireland, and such further payments as shall grow due, until they shall be dismissed, in any of these ways as shall be agreeable to our brethren: and you shall receive any further or other propositions from them concerning the same; and such propositions certify to the lords and commons in parliament, that so you may receive further directions therein. VII. You shall, with the like plainness and truth, make known to our brethren of Scotland, that we are, by these troubles, made altogether unable to continue the charge of the army in Ireland; therefore, lest it should become too great a burden to them in our disability of payment, we desire the said army may be dismissed in some short time; only such garrisons to be kept on foot, as our brethren shall think fit to retain for the guard of Carrickfergus and Coleraine, according to the treaty in that behalf. VIII. You shall mediate and conclude an establishment of the same garrisons, both for the number of men (not exceeding 2000) and their allowances, which the two houses will undertake to discharge accordingly in money or provisions, at reasonable rates to be agreed upon. IX. You shall put our brethren in mind, That the popish and prelatical faction, which begun with them in 1640 and 1641, and intended to make way for our ruin by theirs, and so to have corrupted and altered religion in the whole island, have not diminished in any part of their malice towards them; or at all departed from their design, but only varied in the manner of their proceeding; conceiving that they have an easy way to destroy them, if they may first prevail over us: and thereupon you shall use your utmost endeavour to persuade and excite our brethren to join with us in the common cause; not only of the two kingdoms, but of all the professors of the Protestant religion; for the total and universal suppression whereof they may discern that the Pope and his faction, in several factions, are strongly combined.

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X. You shall desire therefore, That both nations may be straitly united and tied for our mutual defence against the papists and prelatical faction, and their adherents, in both kingdoms; and not lay down arms till they shall be disarmed, and subjected to the authority and justice of parliament in both kingdoms respectively: for the effecting whereof, we desire our brethren of Scotland to raise an army of 10,000 foot and 1000 horse or more, to be forthwith sent against the papists, prelatical faction, and malignants; the same to be commanded by the earl of Leven, or such other general as shall be appointed by the states of Scotland, according to the orders and directions of both houses; and to be paid, according to such an establishment as shall be agreed on, out of such revenues of papists, malignants, and other delinquents, as shall be assigned for that purpose by the two houses. XI. You shall take care that the city of Carlisle and the town of Berwick, whensoever they shall be secured from the papists and malignants, be delivered over unto the hands of such persons and garrisons as shall be appointed by the two houses to receive and defend the same. XII. For the charge in raising and arming those men, we shall give our brethren satisfaction as speedily as may be; and if the reason of the war require that those forces, or any part thereof, be employed on this side Tees, or that it shall be so desired and directed by the lords and commons in parliament, they are, in such case, to be subject to the order and command of the earl of Essex, or such other as shall be appointed lord-general by the two houses. XIII. You shall assure our brethren of Scotland, That, if they shall be annoyed or endangered by any force or army, either from England or any other place, the lords and commons of England will assist them with a proportionable army of 10,000 foot and 1000 horse, or more, to be sent into Scotland for their defence, under such order and directions as shall be thought fit by the parliament or state of Scotland; and if any invasion of the Irish rebels, or other enemies, shall happen during such time as their army shall be employed for the defence of this kingdom, you shall agree with them for a guard of ships to be maintained by us upon that coast. XIV. And, that the mutual interest and dangers of both kingdoms may be defended and preserved by both, you shall, on the behalf of the lords and commons of England, contract and agree with the kingdom and states of Scotland, that no pacification, or agreement for peace, shall be concluded, by the two houses, without sufficient caution and provision for the security, peace, and safety, of that kingdom; the indemnity of all persons and states for and concerning the aid and assistance, which shall be given to this parliament and kingdom, for the suppression of the popish and ill-affected party among them; the safe and peaceable return of their forces sent hither, and the real performance of all articles agreed upon with them. XV. You shall receive the public faith of that kingdom, that neither their entrance into, nor continuance in, this kingdom, in arms, shall be made use of to the prejudice of the rights and prerogatives of the crown of England, nor of the liberties and privileges of the subjects; but that all matters concerning the same be determined by the two houses; and that as our brethren shall be pleased to come in to help us, at our request, so their forces shall be always ready to depart this kingdom whensoever they shall, by both houses, be thereunto desired. XVI. You shall further consider, with our brethren of Scotland, what other Articles or Propositions may be fit to be added and concluded; whereby the assistance and union betwixt the two nations may be made more beneficial, and effectual for the security and defence of religion and liberty in both kingdoms: and you shall certify all such Propositions to the two houses of parliament, and thereupon proceed to a conclusion, as you shall receive further direction from them.—You are, together with 10,000 foot and 1000 horse, or more, desired of our brethren of Scotland for our assistance, to consider, agree and conclude, with them concerning a fitting train of artillery to accompany the same.—You are to represent to our brethren of Scotland the desire of both houses, that the earl of Antrim may be examined with reference to the affairs of this kingdom, upon such interrogatories as shall be, by you, framed and propounded in that behalf, or such as shall be hereafter appointed by both houses; which examinations you are to return unto the houses with all convenient speed.—You are to prosecute the Instructions formerly given, by the two houses, unto Michael Welden and John Corbet, esquires, concerning the six earls of Scotland voted incendiaries by both houses.—And whereas by act of parliament in both kingdoms, concerning the Treaty of Peace between the two nations, two commissions, the one for conserving of peace, and the other for trade, are directed and appointed; which commissions are passed and consented to by the two houses of parliament; you are therefore, according to the said commissions, and in the capacity of commissioners, in that behalf, to treat and advise of all such matters as, by the said act is appointed; and to carry with you authentic copies of the same, and them to deliver to the commissioners for conserving of peace, as you shall see cause.—You are to represent to the general assembly of Scotland, or to the commissioners appointed by them, the care and endeavours of both houses for a perfect reformation in this church, and the happy progress made by them therein; for the better accomplishing whereof they have called an Assembly of Godly and Learned Divines, who are now sitting; and that, by reason of the prevalency of the papists, prelatical faction, and other malignant enemies to this so much desired reformation, now in arms against the parliament, these good beginnings are like to receive

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interruption, if they be not utterly disappointed: and therefore you are not only to desire assistance of that reverend and Godly assembly, for the carrying on this work with their prayers, but also by such seasonable and effectual means, as to them shall seem meet; and you are to co-operate with the states of the kingdom of Scotland, for the effecting of the desires of both houses in the necessary supplies and said now desired of our brethren.—You are also, according to the desires of both houses, formerly expressed in their Instructions to John Corbet, esq. and now in their Declaration to the general assembly, to solicit the speeding away of such and so many reverend and godly Divines as they shall make choice of, to be assistants in the assembly called by the two houses."

A Letter from the Council of War, in the E. of Essex's Army.] July 22. A Letter to the Speaker of the house of lords, from the Council of War, was read as follows: the occasion of it will be best known from its own words:

"My lord; We have, after divers addresses to the houses, with patience expected recruits and supplies of men, horses, saddles, and arms, to enable us to do the state that service which we most heartily wish we could perform: and we have, in modesty, forborne to press the necessity of the armies upon your lordships, so often as the condition thereof required, till now we are driven to that exigent that we can be no longer silent; we must therefore, to discharge that trust reposed in us, make known unto your lordships, That the army is much decayed very suddenly, partly by the mortality and sickness which hath befallen us, and which lieth still upon us; and partly for want of pay and cloathing, our soldiers being grown bare, and many of them almost naked; and the running away of our soldiers is not the least occasion of our weakness, who are encouraged to leave us, out of a report of raising new armies, wherein they hope they shall be entertained.—We hold it, now, fit to make public the particular condition of the army; not knowing whether it will be more pleasing to their lordships to refer the information thereof to such as shall be appointed, by your lordships, to receive the particular relation thereof from those who are herewith sent to give a full satisfaction therein: but thus much we shall be bold to say, That if a constant course be not held that the soldiers may be duly paid and better cloathed, and the recruits of men, horse, saddles, and arms, may likewise be provided, it will be impossible for us to answer your expectations, or discharge the duties of our place; whereof we have thought fit to give your lordships timely notice, that we may not, hereafter, have it laid to our charge that we have dealt unfaithfully in concealing that which, in the end, and that too soon, will be the destruction and overthrow of this army, if speedy course be not taken to supply the wants, and prevent our further weakness, occasioned chiefly by those particulars mentioned; some whereof will rest in your lordships power to provide against.—My lord, it concerning our honour and the safety of the kingdom, we must deal plainly and clearly with you, That if a speedy care be not had, there will not, in a few days, be left the face of an army here amongst us: all which we refer to your lordship's most serious and speedy consideration, and rest, &c. Tho. Grey, Wm. Brooke, John Middleton, Harry Barclay, John Burgoyn, Francis Russel, Tho. Tyrrell, Ja. Holborne, Lionel Copley, John Merrick, Phil. Skippon, Phil. Stapylton, Edw. Aldrich, Sam. Luke."

This Letter was ordered to be communicated to the commons, at a conference; after which both houses fell upon various ways and means to raise money, of which they were then in great want. They also agreed that a large body of horse should be raised; and this day, a long Ordinance was read and agreed to for that purpose. This Army was to be commanded by the earl of Manchester, and was to prevent the great mischiefs done by the king's horse, his army being said to be vastly superior in that kind of force.

Aug. 4. The lords received Letters from the lord Willoughby of Parham, giving an account of the ill state and condition the parliament's forces were in, in those parts of Lincolnshire where he commanded; desiring present relief, both of men and money, otherwise he could not defend them against the earl of Newcastle's army. They were ordered to be communicated to the commons.

This day the earl of Northumberland, from the committee appointed to consider of means for settling the present Distractions of the Kingdom, reported, That they had considered of a Petition to be presented to his majesty, from both houses, to that purpose; which being read, and after debate agreed to, a Message was sent to the lower house, to desire a conference with them the next morning.

The Lords Propositions for Peace.] Aug. 5. The lords took into further consideration their Propositions for Peace, and ordered that their Speaker should introduce them to the commons, at the conference, with this preface:

"Gentlemen, The lords believe it too visible to the understanding of all persons, that this kingdom, with all those blessings of plenty and abundance, the fruits of our long and happy Peace, must be forthwith turned into that desolation and famine which accompany a Civil War: and that those hands and hearts, that should support this land, do now endanger it by unnatural divisions: which considerations have moved the lords to send Propositions again to his majesty, in which they do desire your concurrence; the reasonableness and justice of them being such, that, if they be rejected, our cause will thereby be strengthened, and the kingdom encouraged to preserve themselves in their just rights."

The report of this conference is not entered in the Journals, nor does it appear from those

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authorities what the Propositions for peace were. This deficiency is luckily supplied by lord Clarendon, who has not only given us the Propositions themselves, but also the arguments urged in the commons for and against them. The Particulars, says his lordship, proposed by the lords were: 1. "That both armies might be presently disbanded, and his majesty be entreated to return to his parliament, upon such security as should give him satisfaction. 2. That religion might be settled with the advice of a Synod of Divines, in such a manner as his majesty, with the consent of both houses, should appoint. 3. That the Militia, both by sea and land, might be settled by a bill; and the militia, forts, and ships of the kingdom, put into such hands as the king should appoint, with the approbation of both houses; and his majesty's revenue to be absolutely and wholly restored unto him, only deducting such part as had been of necessity expended for the maintenance of his children, and not otherwise. 4. That all the members of both houses, who had been expelled only for absenting themselves, or mere compliance with his majesty, and no other matter of fact against them, might be restored to their places. 5. That all delinquents, from before the 10th of Jan. 1641, should be delivered up to the justice of parliament, and a General Pardon for all others on both sides. 6. And lastly, That there might be an act of oblivion for all by-gone deeds and acts of hostility."

Debate thereon in the Commons.] "When this conference was reported in the commons, it begot a wonderful long and a hot debate, which lasted till ten o'clock that night, and continued a day or two more; the violent party (for there were yet many among them of more moderate constitutions, who did, and ever had, heartily abhorred their proceedings, though, out of fear, or indisposition of health, or not knowing else well what to do, they continued there) inveighed furiously against the design itself of sending to the king at all, and therefore would not have the particular Propositions so much as considered: 'They had received much prejudice by the last Treaty at Oxford, and therefore must undergo more now their condition was much lower; the king had since that, upon the matter, declared them to be no parliament; for if they were not free, they could not be a parliament; so that till that point were vindicated, they could not treat in any safe capacity, but would be looked upon under the notion of rebels, as his maj. had declared them. They had sent members into Scotland to require assistance, which that kingdom was preparing with all brotherly affection and forwardness; and, after such a discovery, to treat for Peace, without the privity of the Scots, was to betray them, and to forfeit all hopes hereafter of relief from thence, what necessities soever they might be reduced to. That the city of London had expressed all imaginable readiness to raise forces for sir Wm. Waller; and the counties near London were ready to rise as one man; whereby the earl of Essex would be speedily enabled to march, with a better army than ever he had, to give the king battle, except this discourse of Peace did extinquish the zeal that was then flaming in the hearts of the people.'—But notwithstanding these reasons, and the passion in the delivery, the terror of the king's successes suggested answers enough: 'They had been punished for breaking off the Treaty of Oxford, when they might have had better terms than now they could expect; and if they omitted this opportunity, they should fare much worse; that they were not sure of aid from Scotland, neither was it almost possible it should come time enough to preserve them from the ruin at hand: and for the city of London, though the common and meaner sort of people, who might promise themselves advantage by it, desired the continuance of the distractions, yet it was evident the most substantial and rich men desired Peace, by their refusal to supply money for the carrying on the war; and if they should judge of the common people by their forwardness to engage their own persons, they had reason to believe they had no mind to the war neither; for their general was forced to retire even under their own walls, for want of men to recruit his army. However, the sending reasonable Propositions to the king, would either procure a Peace, and so they should have no more need of an army; or, being refused, would raise more men and money than all their Ordinances without it.' These reasons and arguments prevailed; and after the debate had lasted till ten at night, it was resolved upon the question, and carried by 29 voices,* That they should insist upon the Propositions, and send them to his majesty."

The City of London petition the Commons against any Accommodation.] This apprehension of a Peace so alarmed the leading men in the city of London, that the lord mayor, Pennington, who had been excepted by name in the king's offer of a General Pardon, called a common council at the Guildhall the same evening, though on a Sunday; where a Petition against any Accommodation, and a draught of an Ordinance for vigorously prosecuting the War, was agreed on to be presented to the commons next morning, August 7. For though these Propositions for Peace took their rise in the house of lords, the citizens did not offer any Petition to that house against them. Instead thereof we find that the lords being met, they were informed that a great concourse of people were gathered about their house, occasioned by several Papers printed and dispersed all over the city the day before, inviting the people to come down in an unlawful manner to Westminster: on which they agreed to have a conference with the other house, to let them

* This circumstance is confirmed by the Commons Journals; wherein we find the numbers for taking the Lords Propositions into consideration were 94: against it, 65.

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know, "That their lordships did account this manner of coming down a great breach of privilege, and that they did adjourn their house till the next morning; and that, if the concourse of people still continued, they would adjourn themselves to a further time. Likewise to desire the commons to join with them, to find out who printed and dispersed those Papers, and who were the authors of them, that they might be brought to condign punishment."—In the midst of this tumult came down also a select body of aldermen and common council to Westminster, with the Petition before-mentioned; and the commons being informed they were at the door, they were called in, when alderman Atkins, one of the sheriffs, in the name of the rest, presented the following Petition:

The Humble PETITION of the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled,

"Sheweth, That your petitioners having heard that such Propositions and Offers have been lately sent, from the house of peers, to this hon. house; which (as we greatly fear) if yielded unto, would be destructive to our religion, laws, and liberties; and finding already, by experience, that the spirits of all the well-affected party, in the city and counties adjacent, that are willing to assist the parliament both in person and purse, are much dejected thereat; and the Brotherly Assistance from Scotland, as well as the raising and maintaining of forces ourselves, thereby likely to be retarded; all which the petitioners refer to your serious consideration; and, considering our present sad condition lies upon us in a special manner, through the incensed patience of the Almighty, by delay and want of execution of justice upon traitors and delinquents; and, having an opportunity yet afforded us to speak, our desires are, That you would be pleased to persist in your former Resolutions, whereupon the people have so much depended, and wherein you have so deeply engaged yourselves, (though you should perish in the work) that justice may be done upon offenders and delinquents. And that, since we are as willing as ever to expose what we are, and have, for the crowning of so good a cause, you will be pleased, by a speedy passing the Ordinance hereunto annexed, or one to this effect, to put us in a probable way for our and your defence, wherein your petitioners will, by the blessing of God, never be wanting; but shall ever pray, &c."

The Commons reject the Lords Propositions for Peace.] The commons, after having read the Petition and Ordinance, and returned the citizens hearty thanks for their great expressions of care for the safety of the commonwealth, proceeded to take into consideration the Propositions for Peace sent from the Lords; and, after a long debate, the house divided on this question, Whether they should take those Propositions into a more particular consideration? The Yeas went out, Mr. Hollis and sir J. Holland, tellers for the Yeas, and sir Robert Harley with sir Tho. Barrington, for and with the Noes; who brought in the number of 81 of the former, and 79 of the latter. This near division occasioned a stricter scrutiny; for the house, not being satisfied with the report of the tellers, divided again, when the number of the Yeas that went forth were 81, as before, but the number of the Noes that sat amounted now to 88. A very odd circumstance, unless we may suppose that 9 members came into the house at that interval.—Thus all hope of an Accommodation between king and parliament was stopped by the commons; for another question arising at the same time, Whether that house would concur with the lords in their Propositions, or not? it passed in the negative without any division.* But the commons, to soften the harshness of this Vote to the lords, appointed a committee to prepare Reasons to be offered to them, why they dissented from them; and particularly to desire their lordships, at the next conference, 'not to desert 'the defence of the Kingdom at this time; for 'the commons would do their utmost in the 'defence of the lords, as much as for themselves.' They also resolved to recommend it to the lord mayor, to take some course to prevent all tumults; who accordingly issued an Order, prohibiting, on the utmost penalties the law could inflict, the making of any unlawful assemblies, or printing any papers, &c. for that purpose.

A Petition from the Women of London, &c. for Peace.] Aug. 9. As a counterpoise to the foregoing Petition for continuing the War, another was presented to the commons for Peace. This was from the Women; the men, as lord Clarendon remarks, being deterred from any attempt of this sort by the late execution of Mr. Tomkins and Mr. Chaloner, and the severities which followed the discovery of Mr. Waller's Plot. This Petition runs thus:

To the Hon. the House of Commons in Parliament assembled: The Humble PETITION of many CIVILLY-DISPOSED WOMEN, inhabiting in the Cities of London, Westmininster, the Suburbs and Parts adjacent;

"Sheweth; That your poor petitioners, though of the weaker sex, do too sensibly perceive the ensuing desolation of this kingdom, unless, by some timely means, your honours provide for the speedy recovery thereof. Your honours are the physicians that can, by God's special and miraculous blessing, (which we humbly implore) restore this languishing nation, and our bleeding sister the kingdom of Ireland, which hath now almost breathed her

* Lord Clarendon says, The people about the doors behaved so imperiously, as to tell the members of both houses, as they passed by them, 'That if they had not a good answer, they would be there the next day with double the number.'

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last gasp. We need not dictate to your eagle-eyed judgments the way; our only desire is, That God's glory in the true Reformed Protestant Religion may be preserved; the just prerogatives and privileges of king and parliament maintained; the true liberties and properties of the subject, according to the known laws of the land, restored; and all honourable ways and means for a speedy Peace endeavoured. May it therefore please your honours, that some speedy course may be taken for the settlement of the true Reformed Protestant Religion for the glory of God, and the renovation of trade for the benefit of the subject, they being the soul and body of the kingdom. And your petitioners, with many millions of afflicted souls, groaning under the burden of these times of distress, shall (as bound) pray, &c."

We have before taken notice of a Petition from the Female Sex at the beginning of the troubles, and Mr. Pym's speech to them at that time:* but this gentleman seems now to have been greatly out of the ladies' favour, by what follows in Mr. Rushworth's account of this matter. He tells us, "That this Petition was brought up by 2 or 3000 Women, generally of the meanest sort, (whom lord Clarendon calls a great multitude of the wives of substantial citizens) with white silk ribbons in their hats; and was, by some of their number, presented to the house of commons, who received and read the same; and sent out sir John Hippisley and 2 or 3 members more, to return them an Answer, 'That the house were no 'way enemies to Peace, and that they did not 'doubt, in a short time, to answer the ends of 'their Petition; and desired them to return to 'their habitations.' But the Women, not satisfied, remained thereabouts, and, by noon, were encreased to 5000 at the least; and some men of the rabble, in women's cloaths, mixed themselves amongst them, and instigated them to go up to the commons door, and cry 'Peace! Peace!' which they did accordingly, thrusting to the door of the house at the upper stairs-head. The Trained Band advised them to come down, and first pulled them; and afterwards, to fright them, shot powder: but they cried out, 'Nothing but powder;' and some of them in the yard having brick bats, threw them a-pace at the Trained Band, who then shot bullets. Yet the women, not daunted, cried out the louder at the door of the house of commons, 'Give us those Traitors that are against 'Peace, that we may tear them to pieces: give 'us that dog Pym, &c."

Mr. Martin committed to the Tower for reviling the King and Royal Family.] Aug. 16. A circumstance which happened, this day, in the house of commons, is expunged in their Journals, as appears in the margin, by an Order made Jan. 6, 1645; by which means this affair is rendered so obscure, that nothing can be made of it in that authority. We are obliged to Mr. Whitlocke for an explanation, who tells us, "That one Mr. Saltmarsh, a minister, had published a Book, in which were these bold positions: 1. 'That all means should be used 'to keep the king and his people from a 'sudden union. 2. To cherish the war, under 'the notion of Popery, as the surest means to 'engage the people. 3. If the king would not 'grant their demands, then to root him out 'and the royal line, and to collate the crown 'upon somebody else.' This strange doctrine gave offence, says our author, to sober men; and Saltmarsh was sent for and examined, before the commons, about it; when some exceptions being taken against it, Mr. Henry Martin said, 'That he saw no reason to con-'demn Mr. Saltmarsh; and that it was better 'one Family should be destroyed than many.' Sir Nevile Poole moved, 'That Mr. Martin should explain, What one Family he meant;' who boldly answered, 'The King and his Children.' Upon this some members urged the height and danger of these words, and taxed him with his lewd life; and, many speaking very sharply against him, he was committed to the Tower: but, shortly after (on the 2d of Sept.) released, and re-admitted to his seat in parliament."

Ordinance for removing Images, Altars, &c. out of Churches.] Aug. 27. An Ordinance for removing superstitious Images, Crucifixes, Altars of Stone, &c. passed the lords, which had been formerly sent up by the other house: it ran in these words:

"The lords and commons in parliament, taking into their serious consideration how well pleasing it is to God, and conduceable to the blessed reformation in his worship, so much desired by both houses, that all the Monuments of Superstition or Idolatry should be removed and demolished, do ordain, That in all and every the churches and chapels, as well cathedral and collegiate as other churches and chapels, and other usual places of public prayer, authorized by law within this realm of England and dominion of Wales, all Altars and Tables of Stone shall, before the 1st day of Nov. 1643, be utterly taken away and demolished: and also all Communion-Tables removed from the East end of every such church, chapel, or place of publick prayer, and chancel of the same; and shall be placed in some other fit and convenient place or places of the body of the said church, chapel, or other such place of publick prayer, or of the body of the chancel of every such church, chapel, or other such place of public prayer: and that all rails whatsoever, which have been erected near to, before, or about any Altar or Communion-Table in any of the said churches or chapels, or other such place of public prayer as aforesaid, shall, before the said day, be likewise taken away; and the chancel ground of every such church or chapel, or other place of public prayer, which hath been, within 20 years last past, raised for any Altar or Communion-Table to stand upon, shall, before the said day, be laid down, and

* See vol. 2. p. 1073.

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levelled as the same was before the said 20 years last past: and that all tapers, candlesticks, and basons, shall, before the said day, be removed and taken away from the Communion-Table in every such church, chapel, or other place of public prayer; and neither the same, nor any such like, shall be used about the same at any time after the said day: and that all crucifixes, crosses, and all images and pictures of any one or more persons of the Trinity, or of the virgin Mary; and all other images and pictures of saints, or superstitious inscriptions in, or upon, all and every the said churches or chapels, or other places of public prayer, church-yards, or other places to any the said churches and chapels, or other places of public prayer belonging, or in any other open place, shall, before the 1st of Nov. be taken away and defaced; and none of the like hereafter permitted in any such church or chapel, or other places as aforesaid.—And be it further ordained, That all and every such removal of the said Altars, Tables of Stone, Communion-Tables, Tapers, Candlesticks and Basons, Crucifixes and Crosses, Images and Pictures as aforesaid, taking away of the said rails, levelling the said grounds, shall be done and performed; and the walls, windows, grounds, and other places which shall be broken, impaired, or altered by any the means aforesaid, shall be made up and repaired in good and sufficient manner, in all and every of the said parish churches or chapels, or usual places of public prayer belonging to any parish, by the church-wardens for the time being respectively; and in any cathedral or collegiate church or chapel, by the dean or sub-dean, or other chief officer for the time being; and in the universities, by the several heads and governors of every college or hall respectively; and in the several Inns of Court, by the benchers and readers of every of the same respectively, at the cost and charges of all and every such person or persons, body politic or corporate, or parishioners of every parish respectively, to whom the charge of the repair of any such church, chapel, chancel, or place of public prayer, doth or shall belong.—And in case default be made in any of the premises, by any of the person or persons thereunto appointed by this Ordinance, from and after the said 1st of Nov. 1643, that then every such person or persons, so making default, shall, for every such neglect or default by the space of 20 days, forfeit and lose 40s. to the use of the poor of the said parish wherein such default shall be made; or if it be out of any parish, then to the use of the poor of such parish whose church is, or shall be, nearest to the church or chapel, or other place of public prayer, where such default shall be made; and if default shall be made after the 1st of Dec. 1643, then any one justice of the peace of the county, city, or town, where such default shall be made, upon information thereof to him to be given, shall cause or procure the premises to be performed, according to the tenor of this Ordinance, at the cost and charges of such person or persons, bodies politic or corporate, or inhabitants in every parish, who are appointed by this Ordinance to bear the same.—Provided that this Ordinance, or any thing therein contained, shall not extend to any Image, Picture, or Coat of Arms in Glass, Stone, or otherwise, in any church, chapel, church yard, or place of public prayer as aforesaid, set up or graven only for a Monument of any king, prince, or nobleman, or other dead person, which hath not been commonly reputed or taken for a Saint: but that all such Images, Pictures, and Coats of Arms, may stand and continue in like manner and form, as if this Ordinance had never been made.*

Sir J. Hotham and his Son examined by the Commons, and expelled.] Sep. 7. Sir J. Hotham was brought to the bar of the commons by order, before he took his trial; and being acquainted by the Speaker, That he had liberty to speak to the house if he desired it, he said, He had some petitions to present to them; which was, That his lady might come up with her coach and horses, children, servants, and evidences; and some goods and plate he had left, for their maintenance. He desired also, that he might continue where he was till his trial: he protested his own innocency, and did not doubt, when he knew his charge, but to make it appear as clear as the sun. Being demanded, Whether he knew of any members of that house, or of the lords, that had conveyed any treasure beyond seas? He answered, He knew of none, if he were to die tomorrow. And being again asked, Whether he knew that Mr. Pym had conveyed any treasure in like manner? With some astonishment he asked, If that question was asked him in earnest? Protested he knew nothing of it, and that he had never reported any such thing.—Then the Examination taken by the committee, concerning the Correspondence he held with lord Digby, was read to him. And, being demanded by the Speaker, Whether it was true or not which he had there expressed? He answered, It was true; only in that concerning sir Hugh Cholmley, and Keyes, his son's servant, were some mistakes: for when Keyes came to him at Hull, he, wondering to see him, said, 'How the Devil camest thou hither? How couldest thou come through the Queen's Army?' and that was all he said to him. Further, he said, the lord Digby did send a Declaration to him, to publish to the world his reasons for his turning to his allegiance to the king; but he tore it in pieces, and told him, That he could not serve the king, till he had sent just propositions to the parliament. And being pressed by the committee to answer to some farther questions about lord Digby, he said, He was not bound to accuse

* This proviso seems to have been founded upon the statute of 3 and 4 Edw. 6. c. 12. 'for defacing of Images;' see vol. 1. p. 593.

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himself; made no farther answer, and confessed that he did refuse to sign this examination. After this the commons proceeded to expell sir John their house, and to commit him close prisoner to the Tower.

Sept. 8. The son of this unfortunate father, was likewise brought to the same bar, the serjeant standing with his mace within it, when the Speaker told him, If he had any thing to say the house would hear him. Upon which he made a long narration of the whole carriage of affairs from the first time he took possession of Hull, to that of his commitment; acknowledging he had committed many errors and offences, but nothing to betray the trust reposed in him by the parliament. Being asked, If he could tell what monies, treasure, or other goods, the lord Say, Mr. Pym, or any other member of either house, had transported beyond sea? He answered, He knew of none, nor ever heard of any that knew any such thing.—Notwithstanding this the commons expelled captain Hotham, and remanded him to the same custody he was before; but ordered, that a warrant should be made to bring up both their ladies, children, servants, &c. as his father had desired.

A Charge against Mr. Pym for indirect Practices, voted false and scandalous.] Sept. 9. In the course of these Examinations, the reader may observe that Mr. Pym is mentioned, along with others, as charged with some indirect practices. To do justice to his memory, on the same day sir Edw. Bainton, a member, was sent for, charged with saying, That the lord Say and Mr. Pym had betrayed the West and North. And being demanded, Whether he had spoke these words charged upon him? Answered, He did not speak them as they were there laid down. Being then demanded, What he had spoken to that purpose? Answered, That he had learned, since he had sat here, that he ought not to speak any thing here that reflected to the prejudice of another member; and therefore desired to be excused, unless he were enjoined and commanded. Whereupon he was enjoined to speak the whole truth: and then he said, That he did not say that Mr. Pym had betrayed the West, but that he had betrayed his country; which he did, by being a means of detaining him in prison, who only was able to maintain and preserve that county, till the said county was quite lost, notwithstanding many Orders made for his bringing up:* As for betraying the North, he knew nothing more of that than he had heard in the house, which sounded bad enough, viz. That the offer of the lord Savile and sir Wm. Savile, to deliver up, to the parliament's forces, York and that whole county, if they might not be prejudiced in their persons and estates, was prevented. Adding, That he had heard it said and affirmed, with solemn and deep oaths and protestations, That the lord Cottington had treated with his majesty for the pardon of the lord Say and Mr. Pym; and that if they had had the preferments they expected, we had not been brought to the condition we now are in. Being demanded from whom he heard this, answered, It was from the lord Grandison's brother, lieut. colonel Brett, and serjeant-major Juques, all officers in the king's army, and prisoners with him at Gloucester.

Mr. Pym, in Answer to this Charge, protested solemnly, 'That he never had intercourse with the lord Cottington, by one means or other, since the difference between the king and parliament: that he never received but two messages from him since this parliament began; the one was by sir Arthur Ingram, long before he died; the other by sir Benj. Rudyard.'—Upon the whole, the commons voted the Charge false and scandalous; and that the said sir Edw. should be forthwith sent to the Tower, there to remain a prisoner during the pleasure of the house. But, soon after, the question being put, Whether sir Edward should be now called to the bar, and from thence sent to the Tower, the house divided into 20 yeas and 40 noes; so it passed in the negative.

The Commissioners from the General Assembly of the Church of Scotland, propose their SOLEMN LEAGUE AND COVENANT *to the Parliament of England.*] At this time it was, that the Scots sent over Commissioners from the General Assembly of the Kirk of Scotland, with some Propositions to be presented to the English parliament. These commissioners were some noblemen and others, called Ruling Elders, with ministers, &c. who delivered their credentials to a committee of both houses, appointed for that purpose. There had been a Declaration of parliament, sent some time before into Scotland, concerning Religious Matters, to which these commissioners brought the following Answer.

The ANSWER of the General Assembly of the Church of Scotland, to the DECLARATION of the Hon. Houses of Parliament in England.

The General Assembly of the Church of Scotland, having received a Declaration from the hon. houses of the parliament of England, by their Commissioners now residing here, hath thought good to make known unto the lords and commons in parliament, That all the members of this Assembly, and others well affected here, do, with most thankfulness, take special notice of the expressions which they have been pleased to make in the forementioned Declaration; not only concerning their approbation of the desires and endeavours of the General Assembly of the Church of Scotland for the Reformation of the Church of England, and the Union of both Churches in Religion and Church Government; but also concerning the Resolution of both houses fully to concur with them in those pious intentions. With the same thankfulness and due reverence, they acknowledge the high respects expressed

* Probably Wiltshire is intended, where sir Edward was a deputy-lieutenant of the Militia.

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towards them by both houses, in directing unto them their commissioners assisted by two reverend divines; and in desiring some of the godly and learned of this church to be sent unto the assembly sitting there.—The Assembly doth bless the Lord, who hath not only inspired the houses of parliament with desires and resolutions of the reformation of religion, but hath advanced, by several steps and degrees, that blessed work; by which, as they shall most approve themselves to the reformed churches and to their brethren abroad, so shall they most powerfully draw down from Heaven the blessing of prosperity and peace upon England. And as it is the earnest wish of their brethren here, that the true state and ground of the present differences and controversies in England may be more and more cleared concerning religion; and that both houses may incessantly prosecute that good work first and above all other matters, 'giving 'no sleep to their eyes nor slumber to their 'eye-lids, until they find out a place for the 'Lord, an habitation for the mighty God of 'Jacob,' whose favour alone can make their mountain strong, and whose presence, in his own ordinances, shall be their glory in the midst of them: so it is our confidence that the begun Reformation is of God, and not of man; that it shall increase and not decrease through his help, to whom nothing is too hard; who can make mountains valleys, crooked things streight, and rough ways smooth; and shall lead along, and make perfect, this most wonderful work, which shall be remembered to his glory, in the church, throughout all generations.—And least, through any defect upon the General Assembly's part, the work of Reformation, which hitherto, to the great grief of all the Godly, hath moved so slowly, should be any more retarded or interrupted, they have, according to the renewed desires of both houses and their own former promises, nominated and elected Mr. Alex. Henderson, Mr. Rob. Douglas, Mr. Samuel Rutherford, Mr. Rob. Bailey, and Mr. George Gillespie, ministers of God's Word; John earl of Cassels, John lord Maitland, sir Archibald Johnston of Warriston, Ruling-Elders, (all of them men much approved here) with commission and power to them, or any 3 of them, whereof two shall be ministers, to repair unto the Assembly of Divines, and others of the church of England, now sitting at Westminster, to propound, consult, treat, and conclude with them, and with any commissioners deputed by the houses of parliament, if it shall seem good to the honourable houses, in their wisdom, to depute any for that end, in all such things as may conduce to the utter extirpation of popery, prelacy, heresy, schism, superstition, and idolatry; and for the settling of the so much desired Union of this whole island in one form of church-government, one confession of faith, one common catechism, and one directory for the worship of God, according to the instructions which they have received, or shall receive, from the commissioners of the General Assembly appointed to meet at Edinburgh, from time to time, with the Assembly's power to that end. And as the General Assembly doth most gladly and affectionately receive, and fully trust, the Commissioners and Divines sent hither; so do they hereby commend the aforenamed commissioners not only to the like affection and trust of the Assembly there, but also to the favour and protection of both houses of parliament.—And for the further satisfaction and encouragement of their brethren of England, the whole assembly, in their own name, and in the name of all the particular churches in this kingdom whom they represent, do hereby declare, That, from their zeal to the glory of God and propagation of the Gospel, from their affection to the happiness of their native king and of the kingdom of England, and from the sense of their own interest in the common dangers of religion, peace, and liberty, they are most willing and ready to be united and associated with their brethren in a nearer LEAGUE and SOLEMN COVENANT, for the maintenance of the truly reformed protestant religion, against popery and prelacy, and against all popish and prelatical corruptions in doctrine, discipline, worship or church-government; and for the settling and holding fast of unity and uniformity of religion, betwixt the churches of this island and with the best reformed churches beyond the sea, which union and covenant shall, by God's assistance, be seconded by your co-operating with their brethren in the use of the best and most effectual means that may serve for so good ends: for the more speedy effecting whereof, to the comfort and enlargement of their distressed brethren, whose hope deferred might make their hearts to faint, the whole Assembly, with great unanimity of judgment and expressions of much affection, have approved, for their part, such a draught and form of a mutual League and Covenant betwixt the kingdoms as was the result of the joint debates and consultations of the commissioners from both houses of parliament, assisted by the two reverend divines and the commissioners deputed from the convention of the estates of this kingdom, and from the General Assembly; expecting and wishing the like approbation thereof by the right hon. the lords and commons in parliament, and by the rev. assembly there, that thereafter it may be solemnly sworn and subscribed by both kingdoms; as the surest and strictest obligation to make both stand and fall together, in the cause of religion and liberty.—And as the states of this kingdom have often professed, in their former Declarations, the integrity of their intentions against the common enemies of religion and liberty in both kingdoms, and their great affections to their brethren of England, by reason of so many and so near relations; so doubtless, in this time of need, they will not fail to give real proof of what before they professed: 'A friend loveth at all times, and a 'brother is born for adversity.' Neither shall

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the Assembly, nor their commissioners, be wanting in exhorting all others to their duty, or in concurring, so far as belongeth to their place and vocation, with the states now convened, in any lawful and possible course which may most conduce to the good of religion and reformation, the honour and happiness of the king's majesty, the deliverance of their brethren of England from their present calamitous condition, and to the perpetuating a firm and happy peace betwixt the kingdoms."—Both houses ordered this Answer to be sent to the Assembly of Divines at Westminster.

The Scots Solemn League and Covenant agreed to by the English Parliament.] Sept. 18. This day the famous instrument, called THE SOLEMN LEAGUE AND COVENANT, was debated. The form of this test runs thus:*

"We noblemen, barons, knights, gentlemen, citizens, burgesses, ministers of the gospel, and commons of all sorts, in the kingdoms of England, Scotland, and Ireland, by the providence of God living under one king, and being of one reformed religion, having before our eyes the glory of God, and the advancement of the kingdom of our Lord and Saviour Jesus Christ, the honour and happiness of the king's majesty and his posterity, and the true public liberty, safety, and peace of the kingdoms, wherein every one's private condition is included; and calling to mind the treacherous and bloody plots, conspiracies, attempts, and practices of the enemies of God, against the true religion, and professors thereof, in all places, especially in these three kingdoms, ever since the reformation of religion, and how much their rage, power, and presumption, are of late, and at this time, increased and exercised; whereof the deplorable estate of the church and kingdom of Ireland, the distressed estate of the church and kingdom of England, and the dangerous estate of the church and kingdom of Scotland, are at present public testimonies; we have now at last, (after other means of supplication, remonstrance, protestations, and sufferings) for the preservation of ourselves and our religion from utter ruin and destruction, according to the commendable practice of these kingdoms in former times, and the example of God's people in other nations, after mature deliberation, resolved and determined to enter into a mutual and solemn League and Covenant; wherein we all subscribe, and each one of us for himself, with our hands lifted up to the most high God, do swear, 1. That we shall sincerely, really, and constantly, through the grace of God, endeavour, in our several places and callings, the preservation of the reformed religion in the church of Scotland, in doctrine, worship, dicipline, and government according to the Word of God, and the example of the best reformed churches; and we shall endeavour to bring the churches of God, in the three kingdoms, to the nearest conjunction and uniformity in religion, confession of faith, form of church-government, directory for worship and catechizing; that we, and our posterity after us, may, as brethren, live in faith and love, and the Lord may delight to dwell in the midst of us. 2. That we shall in like manner, without respect of persons, endeavour the extirpation of popery, prelacy, (that is, church-government by archbishops, bishops, their chancellors and commissaries, deans, deans and chapters, archdeacons, and all other ecclesiastical officers depending on that hierarchy) superstition, heresy, schism, profaneness, and whatsoever shall be found to be contrary to sound doctrine and the power of Godliness; lest we partake in other mens sins, and thereby be in danger to receive of their plagues; and that the Lord may be one, and his name one in the three kingdoms. 3. We shall, with the same sincerity, reality, and constancy, in our several vocations, endeavour, with our estates and lives, mutually to preserve the rights and privileges of the parliaments, and the liberties of the kingdoms; and to preserve and defend the kings majesty's person and authority, in the preservation and defence of the true religion and liberties of the kingdoms, that the world may bear witness with our consciences of our loyalty, and that we have no thoughts or intentions to diminish his majesty's just power and greatness. 4. We shall also, with all faithfulness, endeavour the discovery of all such as have been, or shall be, incendiaries, malignants, or evil instruments, by hindering the reformation of religion, dividing the king from his people, or one of the kingdoms from another, or making any faction or parties amongst the people contrary to this League and Covenant, that they may be brought to public trial, and receive condign punishment, as the degree of their offences shall require or deserve, or the supreme judicatories of both kingdoms respectively, or others having power from them for that effect, shall judge convenient. 5. And whereas the happiness of a blessed peace between these kingdoms, denied in former times to our progenitors, is, by the good providence of God, granted unto us, and hath been lately concluded and settled by both parliaments, we shall each one of us, according to

* From the original edition, published by Edward Husbands, Sept. 22, 1643. In the title page it is called, 'A Solemn League and 'Covenant, for Reformation and Defence of 'Religion, the Honour and Happiness of the 'King, and the Peace and Safety of the three 'Kingdoms of England, Scotland, and Ireland.' After which follow these texts of Scripture, which the commons ordered to be printed in the title. 'Jer. l. 5. Come let us join our-'selves to the Lord in a perpetual Covenant 'that shall not be forgotten. Prov. xxv. 5. 'Take away the wicked from before the king, 'and his throne shall be established in righte-'ousness. 2 Chron. xv. 15. And all Judah 'rejoiced at the Oath, for they had sworn with 'all their heart, and sought him with their 'whole desire, and he was found of them; and 'the Lord gave them rest round about.'

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our places and interests, endeavour that they may remain conjoined in a firm peace and union to all posterity; and that justice may be done upon the wilful opposers thereof, in manner expressed in the precedent Article. 6. We shall also, according to our places and callings, in this common cause of religion, liberty, and peace of the kingdoms, assist and defend all those that enter into this League and Covenant, in the maintaining and pursuing thereof; and shall not suffer ourselves, directly or indirectly, by whatsoever combination, persuasion, or terror, to be divided and withdrawn from this blessed union and conjunction, whether to make defection to the contrary part, or to give ourselves to a detestable indifferency or neutrality in this cause which so much concerneth the glory of God, the good of the kingdoms, and honour of the king; but shall, all the days of our lives, zealously and constantly continue therein, against all opposition, and promote the same, according to our power, against all lets and impediments whatsoever; and what we are not able ourselves to suppress or overcome, we shall reveal and make known, that it may be timely prevented or removed: all which we shall do as in the sight of God. And because these kingdoms are guilty of many sins and provocations against God and his son Jesus Christ, as is too manifest by our present distresses and dangers the fruits thereof, we profess and declare, before God and the world, our unfeigned desire to be humbled for our own sins, and for the sins of these kingdoms; especially, that we have not, as we ought, valued the inestimable benefit of the gospel; that we have not laboured for the purity and power thereof; and that we have not endeavoured to receive Christ in our hearts, nor to walk worthy of him in our lives, which are the causes of other sins and transgressions, so much abounding amongst us; and our true and unfeigned purpose, desire, and endeavour for ourselves, and all others under our power and charge, both in public and private, in all duties we owe to God and man, to amend our lives, and each one to go before another in the example of a real reformation, that the Lord may turn away his wrath and heavy indignation, and establish these churches and kingdoms in truth and peace. And this Covenant we make in the presence of Almighty God, the Searcher of all Hearts, with a true intention to perform the same, as we shall answer at that great day when the secrets of all hearts shall be disclosed; most humbly beseeching the Lord to strengthen us by his Holy Spirit for this end, and to bless our desires and proceedings with such success, as may bring deliverance and safety to his people, and encouragement to the Christian Churches groaning under, or in danger of, the yoke of Anti-Christian tyranny, to join in the same, or like association and Covenant, to the glory of God, the enlargement of the kingdom of Jesus-Christ, and the peace and tranquillity of all Christian Kingdoms and Commonwealths."

Before this Covenant was wholly agreed to by both houses, the commons having referred it, as a case of conscience, to the assembly of Divines at Westminster, they appeared before the house, and expressed themselves as follows: "That they had, after a particular Seeking of God for his special direction in this business, fully debated and considered of it, in all its several particulars: That they did approve of the said Covenant, and judged it lawful, in point of conscience, to be taken: That they did humbly advise, that the following Explications should be subjoined to the Covenant, viz. 1. By the clause in the first Article of the Covenant, 'According to the word of God,' they understood, 'So far as we do, or shall, in our consciences, conceive the same to be according to the will of God.' 2. By 'Prelacy,' in the second Article, they understood, 'Church-Government by archbishops, bishops, their chancellors, commissaries, deans, deans and chapters, archdeacons, and other ecclesiastical officers, depending upon the hierarchy.' The prolocutor made a pious speech after the delivery of these Opinions; in which he desired that, in the taking of this Covenant, the people might be thoroughly informed of the grounds, reasons and consequences of it, being a matter of so vast importance: concluding with the prayers of the Assembly, 'That God would be pleased to return in mercy to his people, and pitch his tents over and about them."—Matters being thus settled in foro conscientiæ, this new Oath was first taken by all the lords and commons, then in town; all the officers in their army were strictly enjoined to do the same; and afterwards, it was ordered to be taken throughout the kingdom.

Battle of Newbury.] Sept. 23. A conference was held between the two houses, at which the commons presented to the lords a Letter they had received from the earl of Essex's secretary, dated from Reading the day before. This Letter was to inform the parliament of a Battle between the two armies. It was fought on the 20th of Sept. near Newbury, in Berkshire, and is related at large by Clarendon, Rushworth, &c. Here both sides again claimed the victory, as in the first Battle at Edge-hill. The parliament, particularly, made themselves sure of it, and ordered a committee of both houses to send to their lord-general and the army forthwith, to let them know, How great value and esteem the houses had for his excellency's conduct, and the great service done by them all, with the blessing of God; to acquaint him also, That they were using all endeavours to supply the army, and sending additional forces, in order to take this opportunity for the prosecuting and perfecting of the work. They also sent a committee into the city, to inform them of this great victory, and the advantages that might be hoped for from it: to urge the citizens to send a reinforcement of men, with a supply of money and provisions; and to use all diligence to hinder any such from being sent

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to the king's army: likewise to order a day of thanksgiving, within London and Westminster, and the liberties thereof, for the great success of their lord-general.

The Manner of taking the Solemn League and Covenant by both Houses.] Sept. 25. This day having been appointed by parliament for their taking the Solemn League and Covenant, both houses, with the Assembly of Divines, and Scots Commissioners, met at St. Margaret's, Westminster, for that purpose. It appears, by the Commons Journals, that an order was made, by them, for printing a Narrative of the whole Proceedings and Manner of taking this Covenant, together with the Prayers, Exhortations, and Psalms used upon that occasion. But as this piece, published by authority, has never fallen into our hands, we shall content ourselves with giving Mr. Whitlocke's and lord Clarendon's account of the ceremonial. The former tells us, that, "Mr. White, one of the assembly, prayed an hour to prepare them for taking the Covenant; then Mr. Nye, in the pulpit, made some observations touching the Covenant, shewing the warrant of it from scripture, the examples of it since the creation, and the benefit to the church. Mr. Henderson, one of the Scots commissioners, concluded in a Declaration of what the Scots had done, and the good they had received, by such Covenants; and then he shewed the prevalency of ill counsels about the king, and the resolutions of the states of Scotland to assist the parliament of England. Next Mr. Nye, in the pulpit, read the Covenant, and all present held up their hands, in testimony of their assent to it. The Divines of the Assembly, and the Scots Commissioners, subscribed it: and then Dr. Gouge, in the pulpit, pray'd for a blessing upon it. Afterwards the members of parliament, in their respective houses, subscribed their names in a parchment roll, where the Covenant was written." Thus far Mr. Whitlocke. Lord Clarendon's account runs thus: "The lords and commons, and their Assembly of Divines, met together at the church, with great solemnity, to take the Covenant on the 25th of September; a double holyday, by the earl of Essex's return to London, and this religious exercise. There two or three of their divines went up into the pulpit successively, not to preach, but to pray; others, according to their several gifts, to make orations upon the work of the day. They were by them told, 'That this Oath was such, and in the matter and consequence of it, of such concernment, as it was truly worthy of them, yea of those kingdoms, yea of all the kingdoms of the world: that it could be no other but the result and answer of such prayers and tears, of such sincerity and sufferings, that three kingdoms should be thus born, or rather new born, in a day: that they were entering upon a work of the greatest moment and concernment to themselves, and to their posterities after them, that ever was undertaken by any of them, or any of their fore-fathers before them: that it was a duty of the first commandment, and therefore of the highest and noblest order and rank of duties; therefore must come forth, attended with choicest graces, fear, humility, and in the greatest simplicity and plainness of spirit, and respect of those with whom they covenanted: that it was to advance the kingdom of Christ here upon earth, and make Jerusalem once more the praise of the whole earth, notwithstanding all the contradictions of Men.'—As soon as this solemnity was over, Mr. Henderson, one of the ecclesiastical Commissioners from Scotland, magnified what they had done, and assured them, 'of great success after it, by the experience of that nation, who, from their union in the first Covenant, found nothing hard they proposed to themselves; and told them, That were that Covenant now painted upon the wall within the Pope's palace, it would doubtless put him into Belshazzar's quaking condition; with many such high expressions, as can hardly be conceived without the view of the records and registry that is kept of them."—Several lords then in town, the earl of Northumberland for one, did not appear at this ceremony; many members of the commons were also absent, and sent their excuses, next day, for ill health, or otherwise; but took it afterwards.

Ordinance for sequestring the Revenue of the Royal Family.] Sept. 26. An Ordinance was agreed to by both houses for an absolute Sequestration of the King's Revenue, with those of the Queen's and Prince of Wales, and seizing them for the use of the parliament; to be printed and published all over the Kingdom.

Sept. 28. The earl of Essex, being come up to town, was complimented by the Speakers of both houses, on his late victory; and this day he presented to the Lords several colours taken, at the late Battle of Newbury, from the king's army; one of which had the picture of the parliament house with two traitors heads upon each end of it, and this motto, 'Ut extra sic intra.' Another was a cavalier in pursuit of a Round-head; the word of the round-head, 'Quarter;' the cavalier's, 'Qui sequitur vincit.'

The French Ambassador's Remonstrance, on account of the arresting Mr. Montague in his retinue.] October 8. A remarkable affair came on before the lords. The French king had sent over an ambassador extraordinary, in order to compose the differences between the parliament, and so near a relation to him as the king of England. The houses being informed, That this Ambassador came with good affections, ordered a deputation of lords and commons to go down to Gravesend; to welcome him on his arrival, and wait upon him to his lodgings at Somerset-House, which was fitted up for that purpose. Soon after this Ambassador's arrival, Mr. Walter Montague, who followed him out of France, in his retinue, was arrested at Rochester; and, by the commons, committed prisoner to the Tower. A motion was also made, That the letters which

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he had brought over with him, sealed with the arms of France, and directed to both their majesties of England, should be opened: but that passed in the negative. On the imprisonment of this gentleman, the Ambassador addressed the following Memorial to the house of lords. It was originally in French, and was translated on purpose to be read in that house, and entered in their Journals:

"My lord the prince of Harcourt, peer of France, and master of the horse to the most Christian king, ambassador extraordinary to the king of Great Britain, being informed that Mr. Walter Montague left Paris since his excellency, and came over into England, from the queen, disguised amongst the retinue of M. De Gressy, hath been arrested at Rochester; and though he was charged with the care of her majesty's letters, for their majesties of Great Britain, was committed, nevertheless, prisoner to the Tower of London: his excellency declares to the houses of parliament, that he knew nothing of his person, nor of his disguise, neither did M. De Gressy; but, for the respect and consideration of her majesty's letters, which make it appear that the said Mr. Montague had the honour to belong to her, and she avoweth him, the said Ambassador demandeth, in the name of her majesty, and intreats them, in his own, that Mr. Montague may be put into his hands, with all the letters he was bearer of; to avoid the consequences that the just complaint of such a detention may produce."

After this is entered, what is, in the Lords Journals, called the Sense of that House, on the reading this Paper, viz. "That this Walter Montague, being a renegado, and a man banished the kingdom, for the mischief he did here; for him to be demanded of the two houses of parliament, in so high a manner as this, by an ambassador that pretends he comes to endeavour to procure peace; and giving himself so high a title, and treating the two houses so low; is a thing of so extraordinary a nature, that, though the houses desire to maintain a good correspondency with France, yet this kingdom needs not fear any ill consequence that may follow upon this business; but hope that God will bless them and protect them, as he hath hitherto done."—It was also ordered to have a conference with the other house, on the subject of this Paper, and the lord-general Essex to deliver the sense of this house to the commons concerning it. The lord-general hereupon acquainted the lords, That it was reported the French Ambassador, lately come, had brought many attendants along with him, several of whom were conceived to be officers and commanders; and that if they should go to the king with him, it was likely they would not return. And it being probable that before the Ambassador goes, he would apply to his lordship for a Safe-Conduct, he desired to know what he should do in this case. Whereupon the house ordered, That, when the Ambassador sends to his lordship for a Safe-Conduct, for himself and followers to go to the king, his lordship shall desire to see a list of all those he intends to take with him.

The Parliament justify their Conduct therein.] Oct. 9. At a conference between the two houses, it was agreed that the Answer to the French Ambassador's Message should be drawn up by a committee; which being done, it was agreed to, in these words;—"The lords and commons have considered of the Message in writing, delivered to the earl of Pembroke, and by him presented unto them, from the prince D'Harcourt, ambassador extraordinary from the French king; by which he complains that Mr. Walter Montague, sent hither, unknown to him, by the queen regent of France, with letters unto the king and queen; and, under a disguise, having put himself into the company of M. De Gressy, had been arrested at Rochester, and carried prisoner to the Tower; and the said ambassador therein desires, in regard it appears by these letters, that the said Mr. Montague belongs unto the queen regent, that both he and the letters may be delivered to him: to this they return for Answer, That they are most sorry they must deny him any part of his request: that the letters shall be restored, according to his desire; but for Mr. Montague, a person heretofore questioned for disservices to this state; and so dangerous, that, in the beginning of this parliament, they made it their humble suit unto the king, that he might be banished the court; and afterwards being, upon his own offer and of his friends, permitted to retire himself out of the kingdom; that he should now return, and in such a concealed manner; which, if nothing else, were cause enough for his apprehension, and to render him incapable of the patronage of that great queen: this is a crime of so high and bold a nature, as the houses of parliament cannot pass by, neither in justice for what is already done; nor, in prudence, to secure the state, for the time to come, from the practices and machinations of so turbulent and disaffected a spirit: nor can it be any just offence unto her majesty of France, whom they highly honour and esteem, as a good and glorious queen; nor any disobligation to the ambassador the prince D'Harcourt, whom likewise they desire to treat with all demonstrations of civility and respect; if, according to the laws of all nations, the law of this kingdom be put in execution against one who is a native, a subject, a delinquent; who was in the nature of a banished man, and returns in a disguised habit (so disavowing himself, not to be avowed by any); a dangerous person, that formerly did, and in all likelihood will again, practise against the state; and whom they have cause to believe, by the manner of his coming, to be now come for that very purpose: these things considered by the lord ambassador, and by him represented to the queen, will, they doubt not, give her majesty ample satisfaction, and clear and satisfy the proceedings of the parlia-

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ment to her princely wisdom; which they passionately desire, as in this, so in all things else, not out of fear of any ill consequence by the contrary, but as knowing the justice of their ways, must needs meet with the approbation of so wise a queen; as it will also draw down the blessing of God Almighty, which alone carries them above the consideration of all earthly power."

A Misunderstanding between the Parliament's two Generals, Essex and Waller, reconciled.] The earl of Essex and sir Wm. Waller, the two generals for the parliament, had long differed in their respective commands; and this day, the earl made it his request to both houses, That he might have leave to resign his commission, and go beyond the sea, in regard that the commission granted to sir Wm. Waller was inconsistent with his own; and in respect to the many discouragements he had received since his being general. The lords, conceiving this to be a business which concerned the present safety of the whole kingdom, resolved to have a conference with the commons about it; and to declare, that the sense of this house is, That the commission to sir Wm. Waller be delivered up, being inconsistent with that to the lord-general, from both houses; whereby it was voted, That all commissions should be granted by the lord-general and be under his command, being necessary for the present affairs and the safety of the kingdom.—The commons were before-hand apprised of this matter, and, at the same time, sent a message to the lords, to let them know, That sir Wm. Waller had offered to give up his last commission; and that they were of opinion the best way to discover the conveniency or inconveniency of it, was, to appoint a committee to go to the lord-general, with power to consider of, and advise with his excellency, what course was fittest for settling this business the most for the safety of the kingdom. A committee of both houses was immediately appointed to wait upon the lord-general, on this affair, each house, though late, resolving to sit till their return; after which the lords received the following Votes from the commons:—"The lords and commons do declare, That, by virtue of their last commission, sir Wm. Waller is under the command of the lord-general, and is bound to obey him, notwithstanding any thing in his commission; and sir Wm. Waller, being present at this debate, did declare, That he ever had been, and is, willing and ready to obey his excellency the lord-general's commands. And, whereas, by the words of the last commission to sir Wm. Waller, it is mentioned, That he was to receive his instructions from both houses, it is this day ordered, by the lords and commons, That sir Wm. Waller shall, from time to time, receive and observe such instructions as the lord-general shall give him."

The Commons further Reasons for desiring the Lords concurrence in making a new Great Seal.] Oct. 11. A Report was made to the lords of a conference held the day before, between the two houses, of a matter which had long lain dormant, the lords having absolutely refused to accede to it; namely the making of a new Great Seal: viz.

"That the commons, divers months since, presented to their lordships several Votes, concerning the Great Seal, wherein they desired their lordships concurrence: and since, because of the absence of the Great Seal, which should attend the parliament, new mischiefs have sprung up; which causes a necessity to have the Great Seal more at this time than ever, is in respect of the use which hath been made of the Great Seal, at Oxford, against the parliament and their proceedings: 1. Considering the clandestine going away of the lord-keeper, who is a sworn officer, with the Great Seal from the parliament; and as soon as he came to Oxford it was taken from him, and put into another hand; as appeareth by the lord-keeper's own letter, when writs were sent to him to be sealed, he returned for answer, That the seal was not in his hands, but Mr. Porter's. 2. There hath, by virtue of the Great Seal's being at Oxford, commissions for raising armies against the parliament, issued out; commissions to new sheriffs, and an extraordinary power put into their hands; commissions of array; proclamations to proclaim his majesty's good subjects to be traitors; commissions of Oyer and Terminer, to proceed against those that have held with the parliament; and, one, instar omnium, the commission to one Mr. Tomkins and others, for destruction of the parliament, city, and kingdom; also a proclamation lately come forth, for seizing the estates of all parliament men, and any that adhere to the parliament. 3. That the Great Seal is now put into the hands of sir George Ratcliffe, a person impeached of high treason by the parliament; whereas the Great Seal should be in the hands of a sworn officer, and none else. Besides these considerations, the absolute necessity of preserving the government of the kingdom, and of the ministration of the justice thereof, enforces the parliament to provide a new Great Seal to attend the parliament according to the law; for there is now a general stop and denial of justice, none being permitted to have the use of the Great Seal at Oxford; whereby the dissolution of this present parliament is in great danger, for new writs of election have been denied to supply the house of commons with members in the room of those that are void by defection, apostacy, and death: therefore it is absolutely necessary to have a Great Seal to attend the parliament for the preservation and continuance of it. Also the ordinary proceedings at the law are obstructed whereby the subject should be relieved; as no writs of error can be granted for reversal of erroneous judgments; nor original writs of assize, which are Festina Remedia; writs to supply churches within six months, which admits no delay; no fines or recoveries; writs of Habeas Corpus, or dower, judges commissions; and many other writs as are for

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the speedy relief and benefit of the subject, cannot be had by reason the Great Seal is at Oxford. All these considered, the commons desire their lordships concurrence in the Votes for making of a new Great Seal to attend the parliament, for the dispatch of the business of the kingdom."

The Lords give their Consent thereto.] The Lords taking into consideration the necessity of preserving the government of this kingdom, his majesty's authority in parliament, and the being thereof, and the preservation of the administration of the justice of this kingdom; and perceiving, by these mischiefs, how absolutely necessary it is to have the Great Seal attending the parliament, for the reasons aforesaid, after a mature debate, this question was put, Whether a Great Seal of England shall be forthwith made, to attend the parliament, for dispatch of the affairs of the parliament and the kingdom? It passed affirmatively. And accordingly, the next day the lords sent a message to the commons, to acquaint them with their concurrence in the Vote for making a new Great Seal of England.—We before observed (p. 143), that the lords having refused their consent to the Vote of the commons for making a new Great Seal, the latter gave orders for making one; the form of which was, a representation of the house of commons, the members sitting, on one side; and the arms of England and Ireland, on the other. But the lords having now given their consent, another Great Seal was ordered to be made in the same form and manner as the king's.

Oct. 16. The Scots Army, being now ready to enter this kingdom, only stayed for the stipulated sums, which had been agreed upon at Edinburgh, some time before, by commissioners on both sides appointed for that purpose. To this end the commons sent up an Ordinance this day, to the lords, which they had framed to hasten their march, which was readily agreed to by the latter.—Some time after this, the Scots finding that the money from England did not come so soon as was expected, they sent a Remonstrance over, alledging, "That they saw plainly, by the Cessation of arms in Ireland, that the Protestant religion was to be rooted out there, and the whole force of the rebels turned against the Scots army in that kingdom; which made the Scots take the Covenant unanimously; and they were resolved, their eyes being now opened, to join with their brethren of England in defence and preservation of religion against the common enemy. That they had named all their officers and listed all their soldiers; their artillery and ammunition was at Leith, and they were making provisions of victual, as far as they were able. But they confessed, nay they said they were not ashamed to confess their want of money; therefore they desired to have a speedy supply, whereby they might be able to keep their army together when it was in a body. And whenever they should have proper notice, from parliament, of the agreements, they would be ready to march to their rendezvous in 48 hours time. Lastly, they desired that the towns, stipulated for, might be taken into consideration."

It is necessary to be remembered in this place, that about the middle of August, the estates of Scotland had published a Proclamation in the king's name, requiring all persons, from 16 to 60, to appear in arms, in support and defence of the Solemn League and Covenant. This the king was so highly incensed at, that, on the 16th Sept. he wrote a letter to the council, setting forth, "That he had, with great amazement, seen a Paper, most impudently published without his privity or authority, tending to cast the beloved people of his native kingdom into the like bloody combustions and rebellious violation of their religion and allegiance, as those already in England: forbidding all obedience to the said Proclamation, and all other papers published in his name, which should not immediately be warranted by himself: and commanding this his Letter to be published, and also recorded in the books of the Privy Council there."—What regard was paid to this letter will shortly appear.

The Earl of Holland, who had joined the King at Oxford, returns to the Parliament.] Nov. 6. An account was brought to the house of lords, that the earl of Holland, who had been with the king some time, was taken by a party of the parliament's forces: hereupon he was ordered to be committed to the custody of the black rod. But, upon examination, it being found, that his lordship had left the king and was returning to parliament, he was set at liberty. However, this earl had a narrow escape in the house of commons; for a motion for sending him to the Tower passed in the negative, by only 59 against 58; as did another for his being made prisoner elsewhere, by 59 against 56.

Ordinance for making a new Great Seal.] Nov. 10. The commons had framed an Ordinance relating to their new Great Seal, which the lords were not over hasty to agree to; at last, on repeated messages from the commons, the lords passed it this day, as follows:

"Whereas the Great Seal of England, which, by the laws of this realm, ought to attend the parliament, being the supreme court of justice and judicature within this realm, for the dispatch of the great and weighty affairs of the commonwealth, which is especially interested and concerned therein, was, above a year last past, that is to say, the 22d of May, 1642, by the then lord-keeper thereof, Edward lord Littleton, then a member and speaker of the house of peers, contrary to the great trust in him reposed, and duty of his place, secretly and perfidiously conveyed away from the parliament into the king's army, raised against the parliament; the said lord-keeper departing therewith into the said army, without the leave or privity of the said house; by means whereof, great mischiefs and inconveniences have

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ensued to this kingdom, and the kingdom of Ireland.—And whereas the said Great Seal ought constantly to remain in the hands and custody of one or more officer or officers, sworn for that service, and to be used and employed for the weal and safety of his majesty's people; which, notwithstanding, hath been divers times, since the conveying away thereof as aforesaid, put into the hands of other persons not sworn, and popishly and dangerously affected, who have had the disposing and managing thereof at their own wills and pleasures; and hath been traiterously and perniciously abused, to the ruin and destruction of the parliament and kingdom, by granting and issuing out divers illegal commissions of array, and other unlawful commissions for raising of forces against the parliament; by issuing out most foul and scandalous Papers, under the name and title of Proclamations, against both houses of parliament, and divers members thereof, and others adhering to them, and proclaiming them traitors and rebels; commissions of Oyer and Terminer, to proceed against divers of them as traitors, and other commissions to seize and confiscate their estates, for no other cause, but for doing their duties and services to the commonwealth; as likewise by granting that horrid commission, for executing of that most bloody and detestable design of Waller and Tomkins, and others, for the destruction of the parliament, and city of London, and of the army raised for their just defence; and (as if massacres and assassinations had been but light and venial crimes) another commission hath been granted, under the same seal, for a Cessation of Arms with the barbarous and bloody rebels in Ireland, after the effusion of so much innocent blood, and slaughter of above 100,000 protestants, men, women, and children, by their merciless and bloody hands; whereby a cessation of arms is accordingly concluded, and those brutish rebels thereby emboldened to prepare themselves, not only for a total extirpation of the protestants remaining there, but for a conquest also of this kingdom: and further, by granting of several commissions, and offices of trust and command, to notorious papists, who by the laws and statutes of this realm, are made uncapable thereof; and by conferring of honours and dignities, and granting of lands and estates to divers exorbitant delinquents, who stand legally impeached of high treason and other high crimes and misdemeanors in parliament: All which, and many other unlawful and enormous acts have passed under the said Great Seal, since the removal thereof from the parliament, as aforesaid: which the lords and commons taking into their consideration, and finding all ways and means obstructed for the procuring of any redress from his majesty in the premisses, notwithstanding their long hopes, and incessant labours for the obtaining thereof, are bound, in duty and of necessity, to provide some speedy remedy for these insupportable mischiefs.—Be it therefore declared and ordained by the said lords and commons, That as well all and every the said acts formerly mentioned, which have passed under the said Great Seal, as also all letters patents and grants of any lands, goods, or estates, of any person or persons whatsoever, for adhering to the parliament; all compositions or grants of any wardships, or leases of any wards, lands, liveries, primier seisins et ouster les maines, since the said 22d of May, 1642, which have not, according to the due course of law, passed through the court of wards and liveries, established by law: all grants since the said 22d of May, 1642, of any honours, dignities, manors, lands, hereditaments, or other thing whatsoever, to any person or persons, which have voluntarily contributed, or shall voluntarily contribute, any aid or assistance to the maintenance of the unnatural war raised against the parliament; and all pardons granted to any such person or persons; and all other acts or things whatsoever, contrary to, or in derogation of, the proceedings of both, or either houses of parliament, which have passed under the said Great Seal, since the removal thereof from the parliament, shall be, and are hereby declared to be, utterly invalid, void, and of none effect, to all intents and purposes.—And that all and every act or thing, which, after the publication of this Ordinance, shall pass by, or under, the said Great Seal, or under any Great Seal of England, (other than what is hereby appointed and established) shall be utterly void, frustrate, and of none effect; and every person or persons, which shall put the same in use, or shall claim any thing thereby, shall be held and adjudged a public enemy of this state.—And be it further ordained by the said lords and commons, That a Great Seal of England, already by them made and provided, shall be forthwith put in use; and shall be, and is hereby authorized and established to be, of like force, power, and validity, to all intents and purposes as any Great Seal of England hath been, or ought to be. And that it shall be put into the hands and custody of the persons hereafter named, who are hereby ordained commissioners for that purpose; that is to say, John earl of Rutland, and Oliver earl of Bolingbroke, members of the house of peers; Oliver St. John, esq. his majesty's solicitor-general,* John Wilde, serjeant at law, Samuel Brown and Edm. Prideaux, esqrs. members of the house of commons; which said persons, or any three or more of them, whereof one member or more of the lords house, also one member or more of the house of commons shall be present, shall have, and are hereby authorized to have, the keeping, ordering, and disposing thereof; as also all such and the like power and authority, as any lord chancellor, or lord keeper, or com-

* The parliament continued to give Mr. St. John the title of Solicitor-General, though his majesty had long before revoked his patent; and conferred that office on sir Tho. Gardner.

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missioner of the Great Seal, for the time being hath had, used, or ought to have."

A few days after the new Great Seal was carried up by the Speaker of the house of commons, the whole house attending him, and delivered to the Speaker of the lords house; who, in the presence of both houses, delivered it to the commissioners; and they all took an oath, to execute the office of keepers of the Great Seal of England, in all things according to the orders and directions of both houses of parliament; the Speaker of the peers swearing the two lords, and Mr. Brown, clerk to the parliament, the four commoners. It was then carried to Mr. Brown's house, in the Old Palace, and put into a chest with three different locks, not to be opened but when three of the commissioners were present.

The Parliament's Answer to the French Ambassador's Proposal for an Accommodation.] Nov. 11. A Memorial was presented to the house of lords, from the Ambassador of France, and read: it was in French, and the purport of it was to make proposals, in general, for an Accommodation between the king and parliament, in the name of the French king. The lords having communicated this Memorial to the commons, after a day or two's consideration, returned this Answer:—"The lords having received from the prince D'Harcourt, ambassador extraordinary in England, by the earl of Northumberland, a Paper in hæc verba, &c. and having communicated it to the commons, both houses, upon consideration thereof, do think fit that this Answer shall be returned thereunto: That the lords and commons will always, with due respect, acknowledge such good affection, as from the king his master and the queen his mistress shall be, at any time, expressed to the king and these kingdoms: professing that they desire nothing more than such a peace, as may as well procure honour and happiness to the king, as the preservation of the true reformed religion, the privileges of parliament, and the liberty of the subjects in his majesty's three kingdoms according to their late solemn League and Covenant. And when the prince D'Harcourt shall, from and in the name of the king his master, propose any thing to the lords and commons, they will thereupon do that which shall be fit, and which shall justify their proceedings to all the world; and that they had been forced to take up arms for their own just and necessary defence."

The Abp. of Canterbury pleads, Not Guilty.] Nov. 13. The Abp. of Canterbury was brought to the bar of the house of lords, and required, by them, to give in his Answer to the Impeachment of the commons against him. Which Answer was very short; for it only says, 'That all exceptions to the said Articles of Impeachment to this defendant saved, he saith he is not guilty of all or any the matters charged by the said Impeachment, in such manner and form as are, by the said Articles charged against him." The abp. then made a speech and was remanded to the Tower.

Petition from the Assembly of Divines, to appoint Godly Magistrates, &c.] Dec. 1. The lords were informed that some Divines were ready at the door, to offer something to this house, from the Assembly; hereupon they were ordered in, and Dr. Burgesse, Mr. Calamy, Mr. Obadiah Sedgewick, and Mr. Chambers, presented a Petition, which was as follows:

"To the Right Hon. the LORDS assembled in Parliament, The humble MESSAGE and PETITION of the Assembly of Divines.

"The Assembly of Divines, in all humility and discharge of their duty to God and to this honourable house, do inform your lordships of the sad complaints brought unto them from many Godly and reverend divines in and about London, concerning the daily increase and growth of all manner of outrageous and intolerable abominations; such as drunkenness, swearing, uncleanness, and other crying sins, in very many places in this kingdom, for want of Godly and zealous Magistrates to repress the same; which cannot but highly provoke the Lord to more wrath against this kingdom, in this day of his wrath already broken out upon his people, and render fruitless all your pious endeavours for the reformation and weal of this kingdom, unless it be effectually and speedily cured. The Assembly, therefore, most humbly prayeth, that, according to your great wisdom and zeal for the publick, there may be a speedy appointing and settling of some able, Godly, prudent Magistrates, that may reside in all places of the kingdom where your wisdom shall find it necessary; to give a speedy stop to those high provocations of Almighty God, and the most dangerous supplanters of all our hopes of good from the parliament or the Assembly. Moreover, the Assembly having received a Paper, in the behalf of some Godly and hopeful students of the University of Oxford, with request to recommend it to the honourable houses of parliament; the Assembly, in all humble wise, presenteth the same to this most hon. house, conceiving it worthy of your noble thoughts and favour, yet not presuming to interpose their sense; and albeit they apprehend it to be a business of extraordinary consequence, for which much might be said, they lay all at your lordships feet. Lastly, The assembly having divers weighty business imposed on them by one or both the hon. houses of parliament, which do occasion extraordinary labour to the scribes, and lay upon them more work than they are able to dispatch; the assembly prayeth, That the hon. houses of Parliament would be pleased to add Mr. John Wallis, a judicious and Godly young man, to be an amanuensis and assistant to the scribes in the Assembly, in this public service. All which the Assembly, most humbly submitteth to the wisdom and prudence of your lordships, incessantly importuning the Throne of Grace to pour down richly and daily the choicest of his graces upon your honours, and to follow all your noble endeavours with a blessing to the king's majesty, the church, kingdom, and yourselves. Henry Roborough, Adoniram Byfield, Scribes."

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Dec. 4. The lord-general Essex informed the lords, That he had received advice from sir William Waller, acquainting him the king was advancing to Basing, which place sir William had besieged. That the parliament's army under sir William was very weak, and desired them to consider of a speedy way both to recruit and maintain it. Referred to a conference.

The E. of Warwick appointed Lord High-Admiral of England by the Parliament.] Dec. 9. The lords and commons having made an Ordinance for constituting Robert earl of Warwick lord high admiral of England; this day, his lordship moved in the house, that the lords would take it into their present consideration, how to make provision of flesh, ammunition, and other necessaries, for setting forth the next year's navy: that this was the month proper for such provision, or else it would be impossible to get the navy fitted out in time: that, upon advice, it was thought fit to have, at least, 46 ships to guard the seas; and 60,000*l.* was required to be presently advanced for provisions, &c. as appeared by the following Estimate made for that purpose:

"The CERTIFICATE and ESTIMATE of the Charge of the Fleet, sent to the Lord-Admiral from the Commissioners of the Navy.

"According to your lordship's order, we have seriously debated what number of men are requisite for a Fleet for the next year's service; and do humbly conceive there cannot be less than 5000 allotted for the service of the fleet, if the state resolve to keep the seas in safety. These 5000 men will supply 46 sail of ships, viz. 2 of the second, 9 of the third, 20 of the fourth, 10 of the fifth, and 5 of the sixth rank. Of these 46 ships there are 26 of his majesty's that may be fitted for the service, the rest, viz. 20, must be taken up in the river from the merchants. We also conceive that those 46 sail of ships may be distributed thus: 10 to the West, 16 for Ireland and the Severn, 12 for the Downs, and 8 for the coasts of Scotland, according to the parliaments agreement. We do also conceive that 3000 men, in 30 of his majesty's and the merchant ships, will be a competent winter guard for the next year.—If your lordship shall resolve to fix upon this number of men and ships, for the next year's service, we humbly desire your lordship to represent to the house the State of the whole Navy for this and the next year's service, in the Heads following, viz.

	£.
For the charge of 5000 men in 26 of his majesty's and 20 merchant ships, for 8 months service in the year 1644	130,000
For the charge of 3000 men, in 30 ships, for the next winter's guards, for 5 months	60,000
For the ordinary expence of the whole Navy, in harbour, for the year 1644	18,000
For the charge of the extraordinary and ordinary expence of the next year's service, in the office of the Ordinance, per estimation . . .	20,000
For the victuals of 4000 men, for 6 months, in 40 ships, supposed to be set at sea, as reprizals, according to a late Ordinance	24,000
For the payment of the Ordinary for this year's Winter Guard, now at sea, the freight of sundry merchant men already discharged, and for divers other provisions due to sundry men in this and the last year's service	40,000
Total .	£. 292,000

Which said sum of 292,000*l.* we desire may be settled out of the revenues of the customs and excise, to be paid to the treasurer of the navy, before your lordships proceed in the service. We are confident little or nothing can be abated with safety; yet if the houses shall not think fit to allow so great a number of men or ships, we desire your lordships that whatsoever they shall think fit to order, the money may, in the first place, be assigned to be paid into the treasurer of the navy before the service be undertaken; for we are not able to wade any further in the service, unless our credit be preserved by current payments. The payment of the aforesaid sum of 292,000*l.* may be seasonably supplied as followeth:

For victuals and stores for the Summer's fleet	50,000
For victuals of merchant ships supposed to be set forth as reprizals .	10,000

The rest as the service may require, and the state shall be enabled. We have propounded the business of the Victuals to Mr. Alcock, who absolutely refuseth it by way of contract, but yet offers his endeavours in it by way of account; provided he may be enabled with monies to proceed chearfully therein, and have some other able men joined with him in the management of that service. We believe we shall not be able to get any men to undertake the business by contract, and therefore desire your lordship to send unto Mr. Alcock, and settle the business upon him as your lordship shall think fit, that the service may not suffer for want of settling that office: all which we leave to your lordships wisdoms, and remain, at your lordships command, Richard Carnley, John Morris, John Holland. December 5, 1643."

The earl of Warwick moved, That a conference might be had presently with the commons, to communicate this Estimate to them, and desire that some course may be speedily taken to procure monies and other provisions, that no time be lost to expedite this business. This was done accordingly.

Death of Mr. Pym—The Commons order a Monument to be erected to his Memory; and vote 10,000*l. for payment of his Debts.*] Dec. 11. Some Orders, made by the house of com-

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mons this day, give us occasion to mention the Death of Mr. Pym, one of the most active members that ever sat in that house. The respect shewed to his memory, is without a precedent in the whole course of this History. For we find, in the Journals, "That a committee was appointed to consider of the Estate of Mr. Pym, deceased, and to offer what they think fit to be done in consideration of it to the house; likewise to take care to prepare a Monument for him, at the charge of the commonwealth." It was also ordered, that the body of Mr. Pym be interred in Westminster-Abbey, without any charge for breaking open the ground there; and that the Speaker, with the whole house, do accompany his body to the interment."—Mr. Whitlocke ascribes Mr. Pym's death, chiefly to his excessive fatigue in the service of parliament. Lord Clarendon says, he died of the Morbus Pediculosus; and, after the highest commendation of his abilities, and the heaviest censure of his actions, concludes with saying, "That as, during his sickness, he was a very sad spectacle, so that none were admitted to him who had not concurred with him, it is not known what his last thoughts and considerations were." But Mr. Rushworth says, "The report of his dying of the distemper beforementioned was not true; and that, for public satisfaction therein, his dead body was for some time exposed to, and viewed by many hundreds of people: the true natural cause of his death seeming to be the great pains he took, joined with a competent old age, and, at best, but an infirm constitution."—By some subsequent Orders, it appears that Mr. Pym died greatly in debt, though possessed of the place of lieutenant of the ordinance; for, Jan. 13, we find the commons referred it to the aforesaid committee "to consider of some other way for a recompence to the posterity of Mr. Pym, and payment of those Debts he had contracted for the service of the commonwealth, than they had yet thought on; and to use all diligence to find out some fit return, answerable to the memory and merit of so great a man." Accordingly, afterwards, the whole house undertook to pay the Debts of Mr. Pym, not exceeding 10,000*l.*

Origin of the Self-Denying Ordinance.] Dec. 12. It was moved in the lords, "That this house should declare it, as their opinion, that no Member of either House of parliament might be admitted to execute any Place of Profit; and a committee of 7 lords were ordered to draw up an Order, and word it to that sense." These withdrawing, soon returned with such an Order; and then the question was put, Whether that paper, now read, should be entered as the Opinion and Resolution of this house? Which passed in the affirmative. —Ordered, by the lords and commons assembled in parliament, "That the Opinion and Resolution of this house is, from henceforth, not to admit the Members of either House of Parliament into any Place or Office, excepting such places of great trust as are to be executed by persons of eminency and known integrity, and are necessary for the government and safety of the kingdom."—But another Question being put, Whether this shall be drawn up into an Ordinance? it passed in the negative. Thus this political test was quashed for this time, but it most probably gave rise to the Self-denying Ordinance which passed afterwards.

Dec. 20. A conference was held between the two houses, wherein the lords communicated some Letters they had received from the lord general Essex, relative to the State of the Parliament's Army. The Votes passed by the lords, after reading the said Letters, to which the commons also agreed, were, That they approved of the counsel given to the lord-general by the committee of safety; and that he be desired to pursue it; and that letters should be written to him and the rest, to that effect. A committee of both houses was appointed to draw them up accordingly.—The same day, in the afternoon, copies of these Letters, so ordered, were read in the house of lords, and, afterwards, approved by both houses, as follows:

"Our very good lord; We are commanded, by both houses, to acquaint your lordship, That they have received your letter of the 18th present, with the enclosed copies of Letters between the Committee of Safety and your excellency; and having well weighed the grounds expressed in the letters from the committee of safety to your lordship, and taking into consideration how necessary it is that the passages should be secured, where the forces of the enemy may break into Surrey, Middlesex, and Kent, they have thought fit to approve of the advice given to your lordship by the committee of safety, for the speedy drawing your lordship's forces towards Windsor, or those parts; especially seeing sir Wm. Waller is now marched towards Arundel with all his forces, and left only a garrison in Farnham-Castle; and that sir Ralph Hopton (as the houses are informed) hath drawn all the forces he can make towards Baising. And to the end that the counties, where your lordship's army is now quartered, may not be exposed to danger, by the breaking in of the enemy's forces upon your lordship's marching from thence, the two houses have written a letter (a copy whereof they send your lordship here enclosed) to the earl of Manchester, in pursuance of the advice lately given your lordship by the committee of safety, and the directions from your lordship in that behalf, for to draw up speedily the forces under his lordship's command, for the security of those counties. The houses have likewise sent another letter (the copy whereof is here enclosed) unto the committee of the Militia of Hertfordshire, for the speedy sending into Newport-Pagnell the forces intended for that garrison: and therefore we are ordered by both houses, to desire your lordship, that Newport-Pagnell being secured, your lordship do pursue the

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advice given your excellency by the committee of safety, for the drawing your forces towards Windsor, or those parts; which will be, as they conceive, of the greatest security to this city, and the counties most threatened and subject to danger. And so we bid your lordship heartily farewell, being your, &c. WHARTON, Speaker of the House of Peers pro tempore. WM. LENTHALL, Speaker of the Commons House in Parliament. Westminster, Dec. 20, 1643."

The Earl of Bedford, who had joined the King, returns to the Parliament.] Dec. 30. A Letter was this day read in the house of lords, from the earl of Bedford; who, with the earls of Clare and Holland, had deserted the parliament, and gone over to the king at Oxford. The latter had already made his peace at Westminster; the other found means to escape from the guard his majesty had set over him, and retired to his seat in Nottinghamshire. Lord Clarendon condemns the manner in which these peers were received by the king and his council at Oxford; his opinion being that penitents of such consequence ought to have been received with open Arms. And Mr. Whitlocke observes, "That it was said, in drollery, these three earls had much confirmed others to continue with the parliament; for they having tried both parties, found, by experience, that this was the best to be in and adhere to.—The earl of Bedford's Submission was ushered in by the following Letter from the lord-general Essex, directed to the Speaker of the house of peers:

"My Lord; There hath been a strict and long obligation betwixt the families of my lord of Bedford's and mine; yet, in this general cause that we are engaged in, which is for the maintenance of religion, and the liberty and just freedom of the subjects of England; and the plotters against all these growing every day more maliciously bent to the ruin of them all, would have made me laid aside all particular ends of my own; but hearing, by an intimate friend of his lordship's, his desire to return to serve the parliament with his life and fortune, being very sensible of his fault in deserting them, and being an eye-witness of their ill intentions to the destruction of this kingdom, he desired a pass to return, and my reception of him to this side, which I did by that great favour and trust the parliament was pleased to entrust me with; and which, by my utmost care, with the hazard of my life, I shall use for your safety, being your lordship's, &c. ESSEX. St. Alban's, Dec. 30, 1643."

Next was read the earl of Bedford's Letter, directed to the Speaker of the house of peers, as follows:

"My Lord; The great sense I had of the miseries and distractions of this kingdom, and the small probability that appeared, to my judgment, of any speedy end thereof, made me think I could do the kingdom no better service, as matters then stood, than by using my best endeavours, and those of my friends, to procure his majesty to comply with his parliament; for which purpose I went to Oxford, where I was no sooner arrived, but I perceived contrary counsels to be too prevalent, and that my endeavours would be altogether fruitless; wherefore, presently seeing my former mistake, I resolved thenceforth, whatsoever prejudice might befal me thereby, to cast myself wholly upon the favour and the mercy of the parliament, and to make no longer stay at Oxford, than I could find means and opportunity for my safe return; whereupon I made use of my nearest friends to procure me a pass from my lord-general, which he nobly granted me. Therewith I am come safe to St. Alban's, and have now put myself into his excellency's custody; where I intend to remain until I shall receive your lordships commands and directions; being ready to undergo what censure your lordships shall please to impose upon me for my sudden and unadvised departure from your lordships, without your leaves and consents; not expecting or thinking myself worthy of the honour to sit again amongst you, until your lordships shall be fully satisfied of the reality of my faithfulness to the parliament and kingdom; which I shall be very ready to express and manifest by any act, way, or means whatsoever, which your lordships, in your wisdoms, shall think fit to prescribe or appoint. Expecting your lordship's answer, I rest, your lordship's most humble servant, BEDFORD. St. Alban's, Dec. 30, 1643."

Hereupon the lords ordered that, for the present, the earl of Bedford should stand committed to the safe custody of the gentleman usher attending that house; there to remain until their pleasure be further signified.

Articles between the English and Scots Parliaments, concerning the latter's marching their Army into England.] This day, several Papers were read, which came from the parliament's commissioners in Scotland, relating to the Treaty then just concluded with that kingdom, concerning the Solemn League and Covenant, and the assistance demanded in pursuance of the ends expressed therein: the Articles of which had been sent up by the commons with their approbation of them, and were referred by the lords to a committee then appointed for that purpose; and are as follows:

"Whereas the two houses of the parliament of England, out of a just and deep sense of the great and imminent danger of the true protestant religion, in regard of the great forces of papists, prelates, malignants, and their adherents, raised and employed against the constant professors thereof in England and Ireland, thought fit to send their Commissioners unto the kingdom of Scotland, to treat with the Convention of Estates and General Assembly there, concerning such things as might tend to the preservation of religion, and the mutual good of both nations: and, to that end, to desire a more near and strict union betwixt the two kingdoms; and the assistance of the king-

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dom of Scotland, by a considerable strength to be raised and sent by them into the kingdom of England.—And whereas, upon a consultation held betwixt the Commissioners of the Parliament of England, and the Committees of the Convention of Estates and General Assembly, no means was thought so expedient to accomplish and strengthen the union, as for both nations to enter into a Solemn League and Covenant, and a form thereof to be drawn and presented to the two houses of the parliament of England, the Convention of Estates, and General Assembly, of Scotland; which hath accordingly been done, and received their approbation.—And whereas the particulars, concerning the assistance desired by the two houses of the parliament of England, from their brethren of Scotland, were delivered in by the English Commissioners, August 19, to the Convention of Estates; who did thereupon give power to their committee to consider and debate farther with the English commissioners, of what other Propositions might be added or concluded; whereby the assistance desired might be made more effectual and beneficial. And, in pursuance thereof, these Propositions following were considered of, and debated by the committee and commissioners aforesaid, to be certified, with all convenient speed, to the two houses of the parliament of England, and the convention of estates of Scotland, by their respective committees and commissioners, to be respectively taken into their consideration, and proceeded with as they shall find cause: which being accordingly done, and these ensuing Propositions approved, agreed, and concluded of by the two houses of the parliament of England, and the committee of the estates of Scotland respectively, and power by them given to their respective committees and commissioners, to agree and conclude the same, as may appear by the Votes of both houses, dated Nov. 1, and the Order of the Committee, bearing date of Nov. 17. We the said commissioners and committees, according to their Votes and Orders, do formally conclude and agree upon these Articles following; and, in confirmation thereof, do mutually subscribe the same. I. It is agreed and concluded, That the Covenant represented to the Convention of Estates and General Assembly of Scotland, and sent to both houses of the parliament of England, in the same form as it is now returned from the two houses of the parliament of England to their brethren of Scotland, and allowed by the Committee of Estates and Commissioners of the General Assembly, be sworn and subscribed by both kingdoms, as a most near tie and conjunction between them, for their mutual defence against the papists and prelatical faction, and their adherents, in both kingdoms, and for pursuance of the ends expressed in the said Covenant. II. That an Army to this purpose shall be levied forthwith, consisting of 18,000 foot effective, 2000 horse, and 1000 dragoons effective, with a suitable train of artillery, to be ready at some general rendezvous, near the borders of England, to march into England for the purposes aforesaid, with all convenient speed: the said horse and foot to be well and completely armed, and provided with victuals and pay for 40 days; and the said train of artillery to be fitted in all points ready to march. III. That the Army be commanded by a general appointed by the estates of Scotland, and subject to such resolutions and directions as are and shall be agreed and concluded on mutually between the two kingdoms, or by committees appointed by them in that behalf, for pursuance of the ends before-mentioned. IV. That the charge of levying, arming, and bringing the said forces together furnished, as also the fitting the train of artillery in readiness to march, be computed and set down, according to the same rates, as if the kingdom of Scotland were to raise the said army for themselves and their own affairs: all which, for the present, is to be done by the kingdom of Scotland upon account, and the account to be delivered to the commissioners of the kingdom of England; and when the peace of the two kingdoms is settled, the same to be repaid, or satisfied, to the kingdom of Scotland. V. That this army be likewise paid, as if the kingdom of Scotland were to employ the same for their own occasions; and towards the defraying thereof (it not amounting to the full month's pay) shall be monthly allowed and paid the sum of 30,000*l* sterling, by the parliament of England, out of the estates and revenues of the papists, prelates, malignants, and their adherents, or otherwise. And in case the said 30,000*l*. monthly, or any part thereof, be not paid at the time when it shall become due and payable, the kingdom of England shall give the public faith for the paying of the remainder, unpaid, with all possible speed, allowing the rate of 8 pounds per cent. till the time of the performance thereof. And in case that, notwithstanding the said monthly sum of 30,000*l*. paid as aforesaid, the states and kingdom of Scotland shall have just cause to demand farther satisfaction of their brethren of England; they shall, for the pains, hazard, and charges they have undergone in the same, by way of Brotherly Assistance, have due recompence made unto them by the kingdom of England, when the peace of both kingdoms is settled; and that out of such lands and estates of the papists, prelates, malignants, and their adherents, as the two houses of parliament shall think fit; and for the assurance thereof the public faith of the kingdom of England shall be given them. VI. And to the end the said Army, in manner aforesaid, may be enabled and prepared to march, the kingdom of England is to pay, in ready money, to their brethren of Scotland, or such as shall have power from the estates of that kingdom, the sum of 100,000*l*. sterling, at Leith or Edinburgh, with all convenient speed, by way of advance before-hand; which is to be discounted back again unto the kingdom of England, by the

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kingdom of Scotland, upon the first monthly allowance, which shall grow due to the Scots Army, from the time they shall make their first entrance into the kingdom of England. VII. That the kingdom of Scotland, to manifest their willingness to their utmost ability to be helpful to their brethren of England in this common cause, will give the public faith of the kingdom of Scotland to be jointly made use of with the public faith of the kingdom of England, for the present taking up 200,000*l.* sterling, in the kingdom of England or elsewhere, for speedy payment of the said 100,000*l.* as aforesaid, as also a considerable sum for satisfying, in good proportion, the arrears of the Scots Army in Ireland. VIII. That no Cessation, nor any Pacification or Agreement of peace whatsoever, shall be made by either kingdom, or the armies of either kingdom, without the mutual advice and consent of both kingdoms, or their committees in that behalf appointed, who are to have full power for the same; in case the houses of the parliament of England, or the parliament or convention of estates of Scotland, shall not sit. IX. That the public faith of the kingdom of Scotland shall be given to their brethren of England, that neither their entrance into, nor their continuance in, the kingdom of England, shall be made use of to any other ends than are expressed in the Covenant, and in the Articles of this Treaty; and that all matters of difference, that shall happen to arise between the subjects of the two nations, shall be resolved and determined by the mutual advice and consent of both kingdoms, or by such committees as for this purpose shall be by them appointed, with the same power, as in the precedent Article. X. That in the same manner, and upon the same conditions, as the kingdom of Scotland is now willing to aid and assist their brethren of England, the kingdom of England doth oblige themselves to aid and assist the kingdom of Scotland, in the same or like cases of straits and extremities. Lastly, It is agreed and concluded, That during the time that the Scots army shall be employed as aforesaid, for the defence of Scotland, there shall be fitted out, as men of war, 8 ships, whereof 6 shall be of burden betwixt 120 and 200 ton, the other betwixt 3 and 400 ton, whereof two shall be in lieu of the two ships appointed by the Irish treaty; all which shall be maintained at the charge of the kingdom of England, to be employed for the defence of the coast of Scotland, under such commanders as the earl of Warwick, for the time of his being admiral, shall nominate, with the approbation of the committees of both kingdoms; which commanders shall receive, from the said earl, general instructions, that they do from time to time observe the directions of the committees of both kingdoms."

Next follow the several Declarations, &c. of the Convention of Estates of Scotland, before and at their army's entering into England. With the former papers, came receipts for 50,000*l.* paid at Edinburgh, as part of the 200,000*l.* stipulated for.—The king to obviate as much as possible this confederacy of the parliaments of both kingdoms against him, issued a Proclamation, inviting all such members of both houses as had already left their seats at Westminster, or were inclined to do so, to meet him at Oxford, and consult of the best measures for his own safety. So great a number obeyed this summons, that they, soon after, formed a Convention or Anti-Parliament, as will appear in the sequel.

Impeachment of the Queen.] Jan. 3. This day we find an entry in the lords Journals, which runs thus:—"Next was read the Impeachment of High Treason against the Queen, brought up formerly from the house of commons," (p. 117). A space is then left where the entry of the said Impeachment was; but in the margin is written, vacat. per order, 16 Julii, 1660; so that the lords, after the Restoration, thought this proceeding of such a nature, as not to suffer the memorial of it to remain longer on their records. However, it is plain they were in earnest against her at this time, by the subsequent entry which still stands in their Journals. Ordered, "That the following lords be appointed commissioners to consider what method of proceeding, for bringing the Queen to her Trial, is most agreeable to a parliamentary way; and peruse precedents for settling a sure course therein, for others to do the like for the future, viz. Northumberland, Essex, Kent, Lincoln, Denbigh, Bolingbroke, Say and Sele, Wharton, and Howard. Their lordships, or any five of them, to meet in two days time, in the Prince's Lodgings, and afterwards when they please; and have, hereby, power to call such persons to assist them, as they shall think fittest to advise them therein."

The King's Proclamation for calling the Members to meet at Oxford.] Jan. 6. The lord general presented to the lords an intercepted Letter, from the lord Digby,* directed to sir Henry De Vic; with a Proclamation inclosed, inviting the members of parliament to come to Oxford. The Proclamation was as follows:

By the King: A PROCLAMATION for assembling the Members of both Houses at Oxford, upon Occasion of the Invasion by the Scots.

"C. R. Whereas we did, by our Proclamation, bearing date the 20th day of June last, upon due consideration of the miseries of this kingdom and the true causes thereof, warn all our good subjects no longer to be misled by the Votes, Orders, and pretended Ordinances of one or both houses, by reason the members do not enjoy the freedom and liberty of parliament, which appears by several instances of force and violence, and by the course of their proceedings, mentioned in our said Proclama-

* Appointed Secretary of State in the room of the lord Falkland, who was killed at the Battle of Newbury.

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tion and several of our Declarations; since which time our subjects of Scotland have made great and warlike preparations to enter and invade this kingdom with an army, and have already actually invaded the same, by possessing themselves, by force of arms, of our town of Berwick, upon pretence that they are invited thereunto by the desires of the two houses; the which, as we doubt not all our good subjects of this kingdom will look upon as the most insolent act of ingratitude and disloyalty, and to the apparent breach of the late act of Pacification, so solemnly made between the two kingdoms; and is indeed no other than a design of conquest and to impose new laws upon this nation, they not so much as pretending the least provocation or violation from this kingdom; so we are most assured that the major part of both houses of parliament do, from their souls, abhor the least thoughts of introducing that foreign power, to increase and make desperate the miseries of their unhappy country: and, therefore, that it may appear to all the world how far the major part of both houses is from such actions of treason and disloyalty, and how grossly those few members remaining at Westminster have and do impose upon our people, We do will and require such of the members of both houses, as well those who have been, by the faction of the Malignant Party, expelled for performing their duty to us, and into whose rooms no persons have been since chosen by their country, as the rest who have been driven thence, and all those who, being conscious of their want of freedom, shall now be willing to withdraw from that rebellious city, to assemble themselves together at our city of Oxford, on Monday the 22d of Jan.; where care shall be taken for their several accommodations, and fit places appointed for their meeting; and where all our good subjects shall see how willing we are to receive advice (for the preservation of the religion, laws, and safety of the kingdom, and, as far as in us lies, to restore it to its former peace and security, our chief and only end) from those whom they have trusted, though we cannot receive it in the place where we appointed.—And for the better encouragement of those members of either house to resort to us, who may be conscious to themselves of having justly incurred our displeasure, by submitting to, or concurring in, unlawful actions; and that all the world may see how willing and desirous we are to forget the injuries and indignities offered to us, and, by an union of English hearts, to prevent the lasting miseries which this foreign invasion must bring upon this kingdom, we do offer a free and general Pardon, without exceptions, to all the members of either house who shall, at or before the said 22d of Jan. appear at our city of Oxford and desire the same; which (considering the manifest treasons committed against us, and the condition we are now in, which is improved, by God's wonderful blessing, to a better degree than we have enjoyed at any time since these distractions) is the greatest instance of princely and fatherly care of our people that can be expressed, and which malice itself cannot suggest to proceed from any other ground; and therefore we hope, and are confident, that all such, who, upon this our gracious invitation, will not return to their duty and allegiance, shall be no more thought promoters of the religion, laws, and liberties of the kingdom; (which this way may be, without doubt, settled and secured) but persons engaged, from the beginning, out of their own pride, malice, and ambition, to bring confusion and desolation upon their country; and, to that purpose, having long since conceived the design, to invite and join with a foreign nation to ruin and extinguish their own; and shall accordingly be pursued as the most desperate and malicious enemies of the kingdom. And our pleasure is that this our Proclamation be read, in all churches and chapels, within this our kingdom and dominion of Wales. Given at our Court at Oxford, Dec. 22, 1643."

The lords conceiving this business to be of great consequence, ordered, That the clerk of the parliament shall bring in an account tomorrow of all the Impeachments brought up from the commons against delinquents; that so this house may know how far they have been proceeded in, and take such farther course for bringing of delinquents to a trial as they shall think fit: and that all the lords have notice given them to be at this house tomorrow morning; and that the foregoing Proclamation be communicated to the commons at a conference.

Project for a Treaty between the King and the City of London without the Parliament.] Jan. 8. The parliament was once more alarmed with the discovery of another Plot, which was communicated from the commons to the lords, at a conference; it was said to be a dangerous design to make a difference and division between the king and the parliament; and to dishearten the Scots from coming in to the assistance of this kingdom. It was contained in the following Letters, exhibited at the same time, to the lords, which were read: 1. A Letter sent to Mr. Ryley, a member of the commons, under the name of the 'Man in the Moon.' 2. Tho. Violet's Letter to Mr. Ryley, Jan. 3, 1643. 3. A second Letter to Mr. Ryley. 4. The lord Digby's letter to sir Basil Brooke, Dec. 29, 1643. 5. The King's Letter to the lord mayor and aldermen of London, and all other well-affected subjects of that city.—The intent of this Project, or Plot, was for the city of London to petition his majesty for Peace, and to set on foot a Treaty immediately between the king and the city: and for the grounds of such Treaty, sir Basil Brooke, Mr. Ryley, and Mr. Violet, framed these Propositions, viz. I. "That the city might be satisfied that the king would settle the Protestant religion, for without that neither the parliament nor the city would admit any Treaty,

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II. That the debts contracted upon the public faith on either side, by king or parliament, should be satisfied; and the most likely way for doing thereof was to settle the Excise for those purposes. III. That it was conceived that (in respect of the king's late Declaration that the two houses at Westminster were no free parliament, and that therefore the king could not treat with them any more) the Treaty was to be immediately between the king and the city; and the city was to be the medium between the king and parliament. But if any parliament men would join with the city in this Treaty, they also might come with them to Oxford, under the same Safe-Conduct granted to the city, though their names were not particularly mentioned; and so much was to be declared and expressed. IV. That there must be an act of oblivion for all parties and delinquents whatsoever, and a general pardon; and that no cessation be expected during the Treaty." But in these Propositions there was no mention made either of Scotland or Ireland.

The Votes of the house of commons, on this business, were these, viz. "That these Letters contain a seditious and jesuitical practice and design, under the fair and specious pretence of Peace, having its rise from known jesuits and papists, to work divisions between the parliament and city of London, to raise factions in both, and thereby make them fit for the design of the enemy: tending, also, to the breach of the public faith of this kingdom, unto our brethren of Scotland; engaged by the late solemn Covenant and Treaty, entered into by both nations; thereby not only to weaken us in our united forces against the common enemy, the Popish army; but to embroil the two nations in unhappy differences. Further; That the house of Commons had appointed a committee to go into the city, and communicate this business to them at a common-hall, as also the king's last Proclamation; and they desired their lordships to nominate another, to join with theirs and go along with them to the city." All which the lords agreed to; and a committee of 8 lords and 16 commoners was appointed for this purpose. This day a Message was sent from the lords to the commons to acquaint them, That they had appointed a committee to consider of the Proceedings against the Queen; and that they had occasion to advise with Mr. Solicitor-General, Mr. Selden, Mr. Glynne, and others, concerning precedents and records; and because they were members of their house, they desired leave to call on them, occasionally, for their assistance. This was readily granted by the commons.

Jan. 10. At a conference between the two houses, sir Wm. Strickland brought up an Impeachment of High Treason against George lord Goring, in the name of the commons; and that they, in due time, would send up Articles against him. In the Lords Journals we find a copy of an intercepted Letter, from the lord Goring to the queen, which was read at the same time.—The commons, after this, informed the lords, That a valise, full of letters, was brought to them, along with the former; upon which it was ordered, That they should be carried to the committee of safety, with a power to open all, or as many of them as they think meet, and report their observations on them to the house. But the earl of Essex moved, That it might be entered in the Journal Book of the lords, that it should be no precedent, that a copy of a letter, of such consequence as the lord Goring's should be brought up from the house of commons, instead of the original.

The Citizens of London invite the Lords and Commons to dine with them.] Jan. 13. The sheriffs of London, with divers aldermen and common council-men, came to the house of lords; and in the name of the lord mayor, aldermen, and common council of the city of London, gave their lordships thanks for their pains and care in the preservation of the kingdom and city; in making good laws and appointing such a general, who is so much approved both for his counsel here and courage in the field, for the defending them and maintaining those laws against the force of the enemy, who endeavoured to take away the fruit of them: and likewise for their lordships vigilancy and industry in discovering plots, tending to divide the city from the parliament. And for a demonstration of a firm unity between the parliament and the city, they said, they were commanded, in the name of the whole city, to invite the members of both houses of parliament, and his excellency the lord-general, to dinner, at Merchant-Taylors-Hall, either on Tuesday or Thursday next; whereby the city may, in an humble way, express their thankfulness to the parliament. And further, Mr. Alderman Foulk declared, 'That he was commanded to express, from the whole city, that they were resolved to live and die with the parliament and the lord-general in this cause.'—Hereupon the sheriffs, &c. being withdrawn, the house appointed the earls of Northumberland, Ex-ex lord-general, Sarum, and Manchester, with viscount Say and Sele, to consider what Answer is fitting to return to the city of London for this kind invitation. Presently the committee withdrew, and the earl of Manchester reported what was conceived, by them, fit to be returned as an Answer to the Invitation of the City, which was read and approved of, and their Speaker was appointed to return the following Answer, "To let them know that their lordships will come to them on Thursday next, according to their invitation; and that the lords conceive this invitation as a very great expression of that good affection which this famous city hath, upon all occasions, so eminently manifested for the assistance of the parliament, in the defence of religion, the laws and liberties of this kingdom, and privileges of parliament, by their example, contributions of money, and

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their readiness to employ their forces whensoever they have been desired; which the lords acknowledge to have been a principal means, next under the divine providence, of those good successes which we have had in the several late expeditions wherein they have assisted; and as the lords have endeavoured, to their utmost, not only the preservation of this kingdom, but, with particular care, tendered the good and safety of this city, as the metropolis thereof; so they will continue with constancy in the same resolution for the future."

Trial of the Abp. of Canterbury.] Jan. 16. A great many witnesses, in the cause of the Abp. of Canterbury, had been sworn in the house of lords; and this day came on the Trial of that great prelate at their bar; when serjeant Wylde, in the name of the commons and of all the commons of England, accused him of high treason, and of high crimes and misdemeanors; and desired, That the several Impeachments against him might be read, which was done accordingly. The serjeant then demanded the archbishop's Answer to these Articles, but none being given at this time, the Lords ordered, That the abp. should put in his Answer in writing, peremptorily, on Monday the 22nd instant. The whole proceedings in the Trial of this unfortunate prelate, having been many times printed in single volumes, and also published in the State-Trials, we think it unnecessary to croud this work with what is already in the libraries of every collector of English History.

Jan. 18. The earl of Essex informed the lords, that he had received intelligence, That sir Henry Vane, the younger, did keep a correspondence with the enemy, and that letters had passed between him and the lord Lovelace; and unless some course be taken to prevent this, he cannot, as lord-general, discharge his duty therein. No further notice is taken of it at this time: but Mr. Whitlocke informs us, 'That the house authorized sir Henry, Mr. St. John, and Mr. Brown, to keep a correspondence with the lord Lovelace, to sift what they could out of him; and that his lordship was too weak for these gentlemen.'

A Call of both Houses; When the Commons expell 50 of their Members.] Jan. 22. The archbishop of Canterbury's Trial came on again this day in the lords; when a call of that house was ordered, and made accordingly, by their titles. Several lords were excused; and for the rest who were with the king, or in his service, or would not attend, a committee was appointed to consider what was fit to be done with them.—The same day, there was a call of the house of commons, when 50 Members were disabled from sitting during this parliament, 'For deserting the service of the house, being in the king's quarters, and adhering to that party.' About 20 more were allowed only 14 days respite to appear in; otherwise they were to undergo the same fate. Mr. Whitlocke informs us that 280 members were present at the Call, besides which there were 100 employed in the service of the parliament in the several counties. It is observable that the Calls of both houses were made, at Westminster, the very day on which the king had appointed his Convention to meet at Oxford.

Plot against the Parliament, discovered.] Jan. 26. The lord Wharton made a report to the lords of the discovery of a design to divide the two kingdoms of England and Scotland, and also to betray the town and garrison of Aylesbury to the king. The effect of which was to get the moderate men and Independants together, to declare for suppressing the Presbyterian party, and keeping the Scots out of the kingdom. The design on Aylesbury was to gain some of the garrison to blow up the magazine, at the same time the king's forces were to storm the town. The Letters being read and witnesses examined, the lords came to the following Resolutions: 1. "That it doth appear, upon the whole matter, That the king and council at Oxford do endeavour to embrace all ways to raise and foment divisions, betwixt us and our brethren of Scotland, and amongst ourselves, under the pretence of easing tender consciences. 2. That, during these fair pretences, their immediate design was the ruin of the kingdom, by the destroying and burning the towns and magazines thereof." Ordered, also, "That the persons concerned in the discovery of this Plot should have the thanks of both houses, and suitable rewards for their faithfulness. And that this whole business should be communicated to the commons at a conference; and to the assembly of Divines, as a matter of religion." Two things are naturally observable in these Votes; namely, That this is the first time the lords accused the king personally; their former expressions being, 'That the king, seduced by evil counsels, &c.' but now he is made the principal. The next is, That the Independants, are here first named; who afterwards proved so formidable as to overthrow the Presbyterian government.

The Scots Army enter England.] Jan 30. The Scots had now entered England, with an army of 18,000 foot, 3000 horse, and 5 or 600 dragoons, commanded by Lesly earl of Leven: the first news of which was brought by Mr. Cheisley this day, to the house of commons, who made him a present of 100*l.* for his intelligence.—The Commissioners for Scotland were also arrived, by sea, at London; and, by order of parliament, the bishop of Worcester's house was appointed for them. The lords, also, fully agreed to the Scots Declaration on their entering England, and ordered it to be printed by their own printer, and published through the kingdom. The Names of these Commissioners were John earl of Loudon, chancellor of Scotland, John lord Maitland, sir Archibald Johnston of Warriston, and Mr. Barclay. They were sent with powers to treat with the commissioners appointed by parliament, about the management of the affairs of both kingdoms.

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Daily Allowance to the Scots Army.] By a Schedule referred to in one of the Declarations of the committee of both kingdoms, the Daily Allowance to the Scots Army was as follows: Horse; a major, 6*s.* a rout-master, or captain, 6*s.* lieutenant, 4*s.* cornet, 2*s.* 6*d.* corporal, quarter-master, and trumpeter, 1*s.* 6*d.* every trooper for his own diet, 1*s.* every horse officer, or trooper, for his horse, 5 sheaves of straw, or a stone of hay, 4*d.* oats, 3 gallons, English, at 6*d.* Foot; a lieut. colonel, 5*s.* major, 4*s.* captain, 3*s.* lieutenant, 2*s.* ensign, 1*s.* 6*d.* quarter-master and serjeant, each 1*s.* corporal and drummer, each 8*d.* common soldier, 6*d.* Dragoons; lieut. colonel, 6*s.* major, 5*s.* captain, 4*s.* lieutenant, 3*s.* ensign, 2*s.* 6d. serjeant, 1*s.* 4*d.* corporal and drummers, each 10*d.* every dragooner is to have for himself 8*d.* a day, and for his horse 3*d.* worth of straw or hay, and a groatsworth of oats.

The E. of Essex presents a Letter from the Lords and Commons at Oxford.] Feb. 1. The earl of Essex presented a packet of Letters to the house of lords unopened, which had been sent to him by a trumpet from the Earl of Forth, general of the king's army. A committee of lords and commons were immediately appointed to open these letters, and communicate the contents to the houses: the report of which was, That they had opened the packet, and found therein a large parchment, signed by divers lords and gentlemen at Oxford, with a Letter from the earl of Forth. But because it was not directed to parliament, the opinion of the committee was, That it should be returned to the lord general, Essex, and sent back to the earl of Forth, with an Answer to his Letter, together with the Scots Declaration on their coming into England, the Declaration lately passed both kingdoms, and the National Covenant; with what other matters his excellency should think fit. And it was done, accordingly, along with the following Letter: "My lord, I received this day, a Letter of the 29th ult, from your lordship, and a parchment subscribed by the Prince, the duke of York and divers lords and gentlemen; but it neither having address to the two houses of parliament, nor there being therein any acknowledgment of them, I could not communicate it to them. My lord, the maintenance of the parliament of England, and the privileges thereof, is that for which we are all resolved to spend our blood, as being the foundation whereon all our laws and liberties are built. I send you herewith a National Covenant, solemnly entered into by both the kingdoms of England and Scotland, and a Declaration passed by them both, together with another Declaration of the Kingdom of Scotland. I rest, &c. ESSEX. Essex-House, Feb. 1, 1643."

PROCEEDINGS OF THE CONVENTION AT OXFORD.

The Parliament at Westminster being now busy in settling affairs with the Scots commissioners, and in making new Orders for the conduct of the war, both by sea and land, we shall turn our eyes to the Convention at Oxford, from whom the lords had received the Parchment mentioned in the foregoing Letter from the earl of Essex. The king's reasons for summoning this meeting appear by the Proclamation, inclosed in an intercepted Letter of lord Digby's already given at p. 194. As this Assembly bore the face of a Parliament, by having the king at their head, a much greater number of the peers than were then left at Westminster, and nearly 200 members of the house of commons, their proceedings cannot be omitted. But as the Journals carefully avoid the very mention of them, we shall content ourselves with Mr. Rushworth's account of this Anti-Parliament, compared with the pamphlets printed at this time, by the king's authority, at Oxford.

The KING'S SPEECH to the Lords and Commons at Oxford, upon their first Meeting, January 22.

"My lords and gentlemen; When I consider your public interests and concernments in the happiness and honour of this nation, and your continual sufferings in this Rebellion, for your affection and loyalty to me, I must look upon you as the most competent considerers and counsellors how to manage and improve the condition we are all in; for sure our condition is so equal, that the same violence hath oppressed us all.—I have therefore called you together to be witnesses of my actions, and privy to my intentions; and certainly if I had the least thought, disagreeing with the happiness and security of this kingdom, I would not advise with such counsellors. I doubt not but your concurrence with me, will so far prevail over the hearts and understandings of this whole kingdom, who must look upon you as persons naturally and originally trusted by and for them, that it will be above the reach and malice of those, who have hitherto had too great an influence upon the people, to discredit my most intire actions, and sincere promises; you will be the best witnesses for the one, and security for the other.—Very many of you can bear me witness with what unwillingness I suffered myself to take up these defensive arms; indeed with so great, that I was first almost in the power of those, who, in two set battles, have sufficiently informed the world how tender they have been of the safety of my person. I foresaw not only the rage and oppression which would every day break out upon my subjects, as the malice of these ill men increased, and their purposes were detected; but also the great inconveniences my best subjects would suffer even by my own army, raised and kept for their preservation and protection; for I was not so ill a soldier, as not to foresee how impossible it was to keep a strict discipline, I being to struggle with so many defects and necessities; and I assure you the sense I have of their sufferings, who deserve well of me, by my forces, hath been a greater grief to me, than any thing for my own particular. My hope was, that, either by success on my part, or re-

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pentance on theirs, God would have put a short end to this great storm; but guilt and despair have made these men more wicked than I imagined they intended to be; for, instead of removing and reconciling these bloody distractions, and restoring peace to this languishing country, they have invited a foreign power to invade this kingdom, and that in your names, and challenge this invasion from them as a debt to the commonwealth.—You, my lords, have, like yourselves, as good patriots, expressed your dissent, and vindicated yourselves from that imputation; and I doubt not, but you, gentlemen, will let your countries know, how far you are from desiring such assistance, and how absolute and peremptory a breach this raising of arms of my Scots subjects is of that Pacification, which was so lately and solemnly made by you, and can intend nothing but a conquest of you and your laws. I shall send you all the advertisements I have of that business which is threatened from Scotland, and what is already acted from thence; and shall desire your speedy advice and assistance, what is to be said or done, both with reference to this and that kingdom.—Our ends being the same, I am sure there will be no other difference in the way, than what, upon debate and a right understanding, will be easily adjusted: let our religion in which we are all most nearly concerned, and without care of which, we must not look for God's blessing, be vindicated and preserved: let my honour and rights, which you find to have an inseparable relation with your own interest, be vindicated and restored: let your liberties, properties, and privileges, without which I would not be your king, be secured and confirmed; and there is nothing you can advise me to, I will not meet you in; and I doubt not we shall, together, inform posterity, how much our trust and confidence in each other, is a better expedient for the peace and preservation of the kingdom, than Fears and Jealousies. I shall keep you no longer from consulting together, than in telling you, that I have prepared fit places for your meeting, to which I desire you to repair this night; assuring you, that I will be always ready to receive any thing from you, admitting you to me, or coming to you myself, whensoever you shall desire; and so God direct you the best way."

A Letter from the Lords at Oxford to the Scots Privy Council, touching their Expedition into England, and shewing how few Peers were left at Westminster.

"Our very good lords; If for no other reason, yet that posterity may know we have done our duties, and not sat still, whilst our brethren of Scotland were transported with a dangerous and fatal misunderstanding, that the resolution now taken among them, for an Expedition into England, is agreeable to their obligation by the late Treaty, and to the wishes and desires of this kingdom, expressed by the two houses of parliament; we have thought it necessary to let your lordships know, That if we had dissented from that act, it could never have been made a law; and when you have examined and considered the Names of us who subscribe this Letter, (who we hope are too well known to your lordships and both kingdoms, to be suspected to want affection to religion, or to the laws and liberty of our country, for the defence and maintenance whereof we shall always hold our lives a cheap sacrifice;) and when you are informed that the earls of Arundel and Thanet, and the lords Stafford, Stanhope, Coventry, Goring, and Craven, are in parts beyond the seas; and the earls of Chesterfield, and Westmoreland, and the lord Montague of Boughton, under restraint at London, for their loyalty and duty to his majesty and the kingdom; your lordships will easily conclude how very few now make up the peers at Westminster; there being in truth not above 25 lords present or privy to these counsels, or, being absent, consenting or concurring with them; whereas the house of peers consists of above 100 besides minors and recusant lords, neither of which keep us company in this address to your lordships.—How we and the major part of the house of commons come to be absent from thence, is so notorious to all the world, that we believe your lordships cannot be strangers to it: How, several times, during our sitting there, multitudes of the meanest sort of people, with weapons not agreeing to their condition or custom, in a manner very contrary and destructive to the privileges of parliament, filled up the way between both houses, offering injuries both by words and actions unto, and laying violent hands upon, several members; and crying out, many hours together, against the established laws in a most tumultuous and menacing way; how no remedy would be submitted to for preventing these tumults: after which, and other unlawful and unparliamentary actions, many things received and settled, upon solemn debate in the house of peers, were again, after many threats and menaces, resumed, altered, and determined, contrary to the law and custom of parliaments; and so many of us withdrew ourselves from thence, where we could not sit, speak, and vote with honour, freedom, and safety, and are now kept from thence for our duty and loyalty to our sovereign; and must therefore protest against any invitation which hath been made to our brethren of Scotland, to enter the kingdom with an army, the same being as much against the desires as against the duty of the lords and commons of England.—And we do conjure your lordships, by our common allegiance and subjection under our gracious sovereign, by the amity and affection between the two nations, by the Treaty of Pacification, (which by any such act is absolutely dissolved) and by all obligations, both divine and human, which can preserve peace upon earth, to use your utmost endeavours to prevent the effusion of so much Christian blood, and the confusion and desolation

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which must follow the unjust invasion of this kingdom, which we (and we are confident all true Englishmen) must interpret as a design of conquest, and to impose new laws upon us; and therefore your lordships may be assured, we shall not so far forget our own interest, and the honour of our nation, as not to expose our lives and fortunes in the just and necessary defence of this kingdom; but if your lordships, in truth, have any doubts or apprehensions that there is now, or hereafter may be, a purpose to infringe your laws or liberties, from any attempt of this kingdom, we do engage our honours to your lordships, to be ourselves most religious observers of the act of Pacification; and if the breach and violation do not first begin within that kingdom, we are confident you shall never have cause to complain of this: and having thus far expressed ourselves to your lordships, we hope to receive such an Answer from you as may be a means to preserve a right understanding between the two nations, and lay an obligation upon us to continue your lordships most affectionate humble servants, Ed. Littleton, C. S. Richmond, Hertford, Newcastle, Huntingdon, Bath, Southampton, Dorset, Northampton, Devonshire, Bristol, Berkshire, Cleveland, Marlborough, Rivers, Lindsey, Dover, Peterborough, Kingston, Newport, Portland, Carbery, Conway, Falconberg, Wilmot, Savil, Cottington, Mowbray and Maltravers, Darcy and Coniers, Wentworth, Cromwel, Rich, Paget, Digby, Howard of Charlton, Deincourt, Lovelace, Pawlet, Mohun, Dunsmore, Seymour, Herbert, Cobham, Capel, Piercy, Leigh, Hatton, Hopton, Jermyn, Loughborough, Byron, Widdrington."

The Answer.] This Letter was sent by the marquis of Newcastle to the earl of Argyle, to be delivered as directed: To which the Lords of the Council in Scotland, and the Conservators of the Peace, returned the following Answer, dated March 18, 1643-4.

"Right honourable; We have, yesterday, received and considered your lordship's Letter, concerning our expedition into England, and do know that your lordships are not so great strangers to our proceedings, as not to know that this was not intended, till all other means were first essayed and disappointed. We will not deny, That the invitation of the honourable houses of parliament, in the behalf of our brethren in England, (who are shedding their blood in defence of that power, without which religion can never be defended nor reformed, nor unity of religion with us and other reformed churches be attained) is a special motive; but our Christian duty to religion, our loyalty and tender regard of his majesty's honour and safety, and preservation of ourselves from ruin and destruction, are the principal cause of this undertaking.—That this invitation and act of the hon. houses of parliament is null; and not to be respected, because it wants your lordships assent, and of those lords beyond seas, or under restraint, is that which we think not proper for us to dispute; but how this parliament, that sought so earnestly for reformation of Religion, for redress of Grievances, and settlement of the great affairs of that kingdom, and which was indicted by his majesty for these ends, and is ratified by a special act of parliament, not to be raised without advice and consent of both houses, is null and void by the absence of those lords beyond sea, or by your lordships withdrawing yourselves; or that those who stay in parliament are not a sufficient number without your lordships, is more than we do apprehend. And as we are more deeply affected with unfeigned grief for these unhappy differences betwixt his majesty and his subjects, and more sensibly touched with the sufferings of our brethren, than desirous to judge of the laws and practices of another kingdom; so do we hold ourselves, in duty, obliged to our country, to clear this kingdom of that unjust aspersion of Invasion. Our Remonstrance to his majesty, to the hon. houses of parliament, and to all the world, and our whole former deportment, are more plain and sure evidences of the zeal of this kingdom to religion, of our loyalty to our native king, and of true affection to our brethren of England, than all that malice can devise, or calumny express against us. And if the difficulties of the passage had not stopped our Declarations, concerning our present expedition into England, or the industry of our adversaries suppressed the same from coming to your lordships hands, you would never have so far misinterpreted our entry into England, as to have named it to be an Invasion, nor a design of conquest of that kingdom; where we desire the throne of our native king to be established to all ages.—But the question rightly stated is, Whether, against the popish, prelatical, and Malignant Party, and their adherents, prevailing in England and Ireland, we be not bound to provide for our own preservation? or, Whether we ought not to endeavour, so far as our power can reach, to rescue our native king, his crown and posterity, out of the midst of so many dangers, and to preserve his people and kingdoms from utter ruin and destruction? And that this is the true state of the question, and the sincerity of our intentions towards so pious and necessary a duty, we remit your lordships, for more full information, to the Declaration of the Estates of this kingdom, concerning the present Expedition into England, from their meeting at Edinburgh, (August, 1643, p. 166), and the Covenant betwixt the two kingdoms, which we do herewith send; and if your lordships shall join in this pious and solemn oath, for reformation and defence of religion, his majesty's true honour and happiness, and the peace of his dominions, which this kingdom, with the hazard of their lives and fortunes, have, with God's assistance, resolved to maintain; then may we certainly expect that God's judgments, which the sins and provocations of both nations do justly deserve, shall be averted; the effusion of more Christian blood shall be

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eschewed, and the confusion and desolation, which farther threaten the ruin of these kingdoms, shall be turned into a happy pacification, for establishing of truth and peace in all his majesty's dominions. For which ends, we shall, in every noble and just way, be ready, according to our Covenant, to contribute our utmost endeavours, as a real testimony of our desires to continue your lordships, &c. Edinburgh, March 18, 1644."

Votes of the Lords and Commons at Oxford, touching the Scots coming into England.] Jan. 26, 1643-4. Resolved, upon the question, nem. con. 1. "That all such subjects of Scotland, as have consented to the Declaration, intitled, 'The Declaration of the kingdom of Scotland, concerning the present Expedition into England, according to the commission and order of the Convention of Estates, from their meeting at Edinburgh, August, 1643,' have thereby denounced war against England, and broke the act of Pacification. 2. That all such of the subjects of Scotland, as have, in an hostile manner, entered into the town of Berwick upon Tweed, have thereby broke the act of Pacification. 3. That all his majesty's subjects of the kingdom of England and dominion of Wales are, both by their allegiance and the act of Pacification, bound to resist and repress all such of the subjects of Scotland, as have, in an hostile manner, already entered, or shall hereafter enter, into the town of Berwick upon Tweed, or any other part of his majesty's realm of England or dominion of Wales, as traitors, and enemies to the state. 4. That all such of his majesty's subjects of the realm of England, or dominion of Wales, that shall be abetting, aiding, and assisting to the subjects of Scotland, in their hostile invasion of any part of his majesty's realm of England, or dominion of Wales, shall be deemed and taken as traitors, and enemies to the state. 5. That all his majesty's subjects of Scotland are bound by the act of Pacification, to resist and repress all of that kingdom, that already have raised arms, or shall rise in arms, to invade this kingdom of England or dominion of Wales."

The King's Second Speech to the Lords and Commons at Oxford, Feb. 7, 1643-4.

"My lords and gentlemen; I have hardly, thus long, forborne to give you thanks, for the care and pains you have taken for the public safety, since your coming together. And, first, I thank you for your inclination to Peace; to which, as my willingness of complying shewed the constancy of my endeavours in the best way for the public good; so the rebels, by their scornfully rejecting your overtures, as they have done heretofore mine, have shewed their constancy in their way. Next, I must thank every one of you, for so chearfully applying yourselves to the maintenance and recruiting of my army; which I hope God will so bless, that thereby these enemies of peace shall have their due reward. And truly, my lords and gentlemen, this alacrity of yours in providing for my army, doth please me in no consideration so much, as that it is the best way for Peace: for certainly this strange arrogance of refusing to treat with you, can proceed from nothing but their contempt of our forces. But it is your present honour, and will be more to posterity, that God hath made you instruments to defend your sovereign, and to preserve your country; to see that religion and law to flourish, which you have rescued from the violence of rebellion; for which I hope, in time, to recompence every one of you; but if I shall not, here is one" [pointing to the Prince] "I hope will, in which he shall but perform my commands; for I have no greater sadness for those that are my ill subjects, than I have joy and comfort in your affections and fidelities; and so God prosper your proceedings."

Votes of the Lords and Commons at Oxford, concerning the Earl of Essex's Army, the New Great Seal, &c.] March 12, 1643-4. Resolved, upon the question, nem. con. 1. "That the lords and commons, now remaining at Westminster, that have given their votes or consent to the raising of forces under the command of the earl of Essex, or have been abetting, aiding, or assisting thereunto, have levied and made war against the king, and are therein guilty of high treason. 2. That the lords and commons, now remaining at Westminster, that have given their votes and consent for the making and using of a new Great Seal, have thereby counterfeited the king's great seal, and therein committed high treason. 3. That the said lords and commons, now remaining at Westminster, that have given their consent, or have been abetting, aiding, or assisting to the present coming in of the Scots into England, in a warlike manner, have therein committed high treason. 4. That the lords and commons, now remaining at Westminster, who have committed the crimes mentioned in the three former Votes, have therein broken the trust in them reposed by their country, and ought to be proceeded against as traitors to the king and kingdom. 5. That all the endeavours and offers of Peace and Treaty, made by his majesty, by the advice of the lords and commons in parliament assembled at Oxford, have been refused and rejected by the lords and commons remaining at Westminster."

A DECLARATION of the Lords and Commons of Parliament assembled at Oxford, of their Proceedings touching a Treaty for Peace, and the Refusal thereof; and the several Letters and Answers that passed therein.

"If our most earnest desires and endeavours could have prevailed for a Treaty, our proceedings therein, without this Declaration, would have manifested to all the world the clearness of our intentions for the restoring the Peace of this kingdom; but seeing all the means, used by us for that purpose, have been rendered fruitless, we hold ourselves bound to let our countries know, what, in discharge of our duty to God and to them, we, on our parts,

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have done since our coming to Oxford, to prevent the further effusion of Christian blood, and the desolation of this kingdom. His majesty having, by his Proclamation, upon occasion of the Invasion from Scotland, and other weighty reasons, commanded our attendance at Oxford, upon the 22d of January last, there to advise him for the preservation of the religion, laws, and safety of the kingdom, and to restore it to its former peace and security: these motives, with the true sense of our country's miseries, quickened our duty to give our ready obedience to those his royal commands, hoping, by God's blessing, to have become happy instruments for such good ends. Upon our coming hither, we applied ourselves, with all diligence, to advise of such means as might most probably settle the Peace of this kingdom, the thing most desired by his majesty and ourselves; and because we found many gracious offers of Treaty for Peace, by his majesty, had been rejected by the lords and commons remaining at Westminster, we deemed it fit to write in our own names, and thereby make trial, whether that might produce any better effect for accomplishing our desires and our country's happiness. And they having, under pain of death, prohibited the address of any letters or messages to Westminster, but by their general; and we conceiving him a person who, by reason of their trust reposed in him, had a great influence in, and power over, their proceedings, resolved to recommend it to his care, and to engage him in that pious work; with our earnest desire to him to represent it to those that trusted him, to prevent all exceptions and delay; and thereupon, the 27th of the same Jan. dispatched a Letter away under the hands of the Prince's highness, the duke of York, and of 43 dukes, marquises, earls, viscounts, and barons of the house of peers, and 118 members of the house of commons there present; many others of us, by reason of distance of place, sickness, and employments in his majesty's service, and for want of timely notice of the Proclamation of Summons not being then come hither; which Letter we caused to be inclosed in a Letter from the earl of Forth, the king's general. A true copy of which Letter from us to the earl of Essex, hereafter followeth, viz.

"My lord; His majesty having by his Proclamation of the 22d of Dec. upon occasion of the Invasion threatened, and in part begun, by some of his subjects of Scotland, summoned all the members of both houses of parliament to attend him here at Oxford; we, whose names are under-written, are here met and assembled in obedience to those his majesty's commands. His majesty was pleased to invite us, in the said Proclamation, by these gracious expressions, 'That his subjects should see how willing he was to receive advice (for the preservation of the religion, laws, and safety of the kingdom; and, as far as in him lay, to restore it to its former peace and security, his chief and only end) from those whom they had trusted, though he could not receive it in the place where he appointed.' This most gracious invitation hath not only been made good unto us, but seconded and heightened by such unquestionable demonstrations of the deep and princely sense, which possesses his royal heart, of the miseries and calamities of his poor subjects in this unnatural war; and of his most entire and passionate affections to redeem them from that sad and deplorable condition by all ways possible, consistent either with his honour, or with the future safety of the kingdom; that as it were impiety to question the sincerity of them, so were it great want of duty and faithfulness in us (his majesty having vouchafed to declare, 'That he did call us to be witnesses of his actions, and privy to his intentions) should we not testify and witness to all the world the assurance we have of the piety and sincerity of both: we, being most entirely satisfied of this truth, cannot but confess that, amidst our highest afflictions, in the deep and piercing sense of the present miseries and desolations of our country, and those farther dangers threatened from Scotland, we are at length erected to some chearful and comfortable thoughts, that possibly we may yet (by God's mercy, if his justice have not determined this nation, for its sins, to total ruin and desolation) hope to be happy instruments of our country's redemption, from the miseries of war, and of its restitution to the blessings of peace.—And we being desirous to believe your lordship, howsoever engaged, a person likely to be sensibly touched with these considerations, have thought fit to invite you to that part in this blessed work; which only is capable to repair all our misfortunes, and to buoy up the kingdom from ruin; that is, by conjuring you, by all the obligations that have power upon honour, conscience, or public piety, that, laying to heart, as we do, the inwardly bleeding condition of your country, and the outward more menacing destruction by a foreign nation upon the very point of invading it, you will co-operate with us to its preservation; by truly representing to, and faithfully and industriously promoting with; those by whom you are intrusted, this following most sincere and most earnest desire of ours, That they, joining with us in a right sense of the past, present, and more threatening calamities of this deplorable kingdom, some persons be appointed on either part, and a place agreed on, to treat of such a Peace as may yet redeem it from the brink of desolation.—This Address we should not have made, but that his majesty's summons, by which we are met, most graciously proclaiming pardon to all without exception, is evidence enough that his mercy and clemency can transcend all former provocations, and that he hath not only made us witnesses of his princely intentions, but honoured us also with the name of being security for them.—God Almighty direct your lordship, and those to whom you shall present these our most real desires, in such a course as may produce that happy Peace

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and Settlement of the present Distractions, which is so heartily desired and prayed for by us, and which may make us your, &c. Oxford, Jan. 27, 1643-4." [The Names of the Lords and Commons, who subscribed this Letter, are in the General List of those Members who formed the Convention at Oxford, which will speedily follow.]

"We are not ashamed of that earnest, meek, and Christian request we made in that Letter, though it was cried through London streets in scorn, as the Petition of the prince and duke of York, for Peace; and we thought it would have prevailed to have procured a Treaty for so blessed a thing as Peace, and for such an end as redeeming the kingdom from desolation, the only desire of that our Letter: but instead of a compliance with us in this Christian work of Treaty and Accommodation, we received a mere frivolous Answer, or rather a paper of scorn, in form of a Letter directed to the earl of Forth; wherein was inclosed a printed paper, called, 'A National Covenant of the Kingdoms of England and Scotland,' and two other papers, in writing, one called, 'A Declaration of both those kingdoms,' and the other, 'A Declaration of the kingdom of Scotland;' pamphlets full of treason, sedition, and disloyalty; which, being public, are needless here to be inserted." [For a copy of this Letter see p. 201.] Whosoever considers this Letter, will easily find it was fully understood to whom ours was desired to be communicated, under the expression of those by whom their general was trusted; and although it be pretended, because there was no address to the two houses of parliament, nor acknowledgment of them, it could not be communicated to them, it is notoriously known he did so far impart it, that a committee of theirs advised the Answer; and it appears by the penning, they all concurred in the resolution therein mentioned; whereby it is evident, that this was but an excuse framed to avoid a Treaty; and what could that printed Covenant and two Declarations inclosed signify, but to let us know, that before we come to any Treaty, we must also join in that Covenant with them, for the absolute extirpation of church government here, (without, nay though against, the king's consent) submit the lives, liberties, and estates of us, and all those, who, according to their allegiance, have assisted his majesty, to their mercy; and admit and justify the invasion from Scotland, according to the plain sense of their Declaration? Which all indifferent men will think strange preparatives to a Treaty for Peace; and, after such a yielding and submission, we know not what is left to treat upon.—These things are too apparent to every ordinary understanding; and yet we are not forward to apprehend the scorn of that Letter, or to take it for a denial of a Treaty; but, being still solicitous for that happy Peace, which alone could redeem this kingdom from ruin, we resolved to try another way; and, for avoiding delay or cavil about names or titles, or descants upon words, to forbear writing, and humbly besought his majesty to send messengers with instructions, to desire a Treaty for Peace; who was pleased to name Mr. Rd. Fanshaw and Mr. Tho. Otley, gentlemen of clear repute and integrity; and, to avoid their danger in repairing to Westminster, at our desire, commanded the earl of Forth, his general, to write to theirs for a Safe-Conduct for those two messengers; for such is our condition at present, that a free-born subject, sent upon the king's message, cannot, but with such leave, repair to London or Westminster, without danger of his life. To this was returned a Letter, directed to the earl of Forth, in these words:

"My lord; You shew your nobleness in declaring your willingness to write to me in no business so much as that of Peace; and I join with you in the same opinion, that it ought to be a principal duty of those who are trusted in places of our command; and, therefore, whensoever I shall receive any directions to those who have intrusted me, I shall use my best endeavours; and when you shall send for a Safe-Conduct for those gentlemen, mentioned in your letter, from his majesty to the houses of parliament, I shall, with all chearfulness shew my willingness to further any way that may produce that happiness, that all honest men pray for, which is a true understanding between his majesty and his faithful and only council, the parliament. Your, &c. ESSEX. Essex-House, Feb. 19. 1643."

"That this doth neither grant a Safe-Conduct, or give any direct answer to the earl of Forth's request, every ordinary eye may see, and yet such requests amongst generals are rarely denied; and we may easily thereby discern how fearful they at Westminster are, lest the poor distressed people of this kingdom should, by the advantage of a Treaty and free debate of the present differences, see how grossly they had been deceived and misled, and so obtain an end of their miseries; for otherwise who could have believed, that when these differences arose, and were continued for want of a free convention in parliament, and that a main end of the Treaty was to resolve how we, according to our duty and the trust reposed in us by our countries, might with them freely debate and advise his majesty in those things that concerned the maintenance of our religion, parliament's privileges, the king's rights, and the subject's liberty and property, that this letter should tell us, That the party we are to treat withal is the king's only council, excluding all others, not only ourselves called by the same authority to council as they were, but his privy council also, and council at law; so that we could have no hopes of a Treaty, unless we should first agree that they are the parliament and the king's only council; whereby they that are parties would become the only judges of all things in question; which would be a Submission, and not a Treaty.—Having received these frivolous

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delays, which we might have interpreted absolute denials of any Treaty of Peace, we yet resolved not to give over our endeavours for that which so much concerned the good of our country, and the welfare of all professors of the true protestant religion, but by our humble and earnest desires to his majesty, prevailed with him to write his royal letters, and once more desire a Treaty for Peace, though it had been so often formerly rejected; and to avoid all colour of exception, to direct it, 'To the lords and commons of parliament assembled at Westminster;' which was done and inclosed in a Letter from the earl of Forth to their general. A copy of both which Letters hereafter follow:

"My lord; I have received your letter of the 19th of this month, which, according to my duty, I shewed to his majesty; who, observing in it your expressions concerning peace, 'That whensoever you shall receive any directions to those that have intrusted you, you shall use your best endeavours,' is graciously pleased to send this inclosed, which it is desired may be delivered according to the directions. Your &c. FORTH."

"To the Lords and Commons of Parliament assembled at Westminster.

"C. R. Out of our most tender and pious sense of the sad and bleeding condition of this our kingdom, and our unwearied desires to apply all remedies, which, by the blessing of Almighty God, may recover it from an utter ruin; by the advice of the lords and commons of parliament assembled at Oxford, we do propound and desire, That a convenient number of fit persons may be appointed and authorized by you to meet with all convenient speed, at such place as you shall nominate, with an equal number of fit persons, whom we shall appoint and authorize, to treat of the ways and means to settle the present distractions of this our kingdom, and to procure an happy Peace: and particularly, how all the members of both houses may securely meet, in a full and free convention of parliament, there to treat, consult, and agree upon such things, as may conduce to the maintenance and defence of the true reformed Protestant religion, with due consideration to all just and reasonable ease of tender consciences; to the settling and maintaining of our just rights and privileges; of the rights and privileges of parliament, the laws of the land, the liberty and property of the subject; and all other expedients that may conduce to that blessed end of a firm and lasting peace both in church and state, and a perfect understanding betwixt us and our people; wherein no endeavours or concurrence of ours shall be wanting: and God direct your hearts in the ways of peace. Given at our court at Oxford, March 3, 1643-4."

"We now appeal to all the world, what could more have been done by his majesty, or us, in order to a Peace; here being so great a condescending from a king to subjects, all indifferent advantages left to them, both for time and place of treaty, and choice of persons to treat: but what their intentions to Peace are, will appear by their Letter inclosed in one from their general to the earl of Forth; both which are as followeth:

"My lord; I am commanded by both houses of parliament, to send a trumpeter with the inclosed Letter to his majesty, which I desire your lordship may be most humbly presented to his majesty. I rest, &c. ESSEX. Essex-House, March 9, 1643."

"May it please your majesty, We the lords and commons assembled in the parliament of England, taking into our consideration a Letter sent from your majesty, dated the 3rd day of March instant, and directed 'to the lords and commons of parliament assembled at Westminster,' (which by the contents of a Letter from the earl of Forth unto the lord-general, the earl of Essex, we conceive was intended for ourselves) have resolved, with the concurrent advice and consent of the commissioners of the kingdom of Scotland, to represent unto your majesty, in all humility and plainness, as followeth: That as we have used all means for a just and safe Peace; so will we never be wanting to do our utmost for the procuring thereof: but when we consider the expressions in that Letter of your majesty's we have more sad and despairing thoughts of attaining the same than ever; because thereby those persons now assembled at Oxford, who, contrary to their duty, have deserted your parliament, are put into an equal condition with it; and this present parliament, convened according to the known and fundamental laws of the kingdom, (the continuance whereof is established by a law consented unto by your majesty) is, in effect, denied to be a parliament; the scope and intention of that Letter being to make provision how all the members, as is pretended, of both houses may securely meet in a full and free convention of parliament; whereof no other conclusion can be made, but that this present parliament is not a full nor free convention; and that to make it a full and free convention of parliament, the presence of those is necessary, who, notwithstanding that they have deserted that great trust, and do levy war against the parliament, are pretended to be members of the two houses of parliament.—And hereupon we think ourselves bound to let your majesty know, That seeing the continuance of this parliament is settled by a law, (which, as all other laws of your kingdoms, your majesty hath sworn to maintain, as we are sworn to our allegiance to your majesty, these obligations being reciprocal) we must, in duty, and accordingly are resolved, with our lives and fortunes, to defend and preserve the just rights and full power of this parliament; and do beseech your majesty to be assured, That your majesty's royal and hearty concurrence with us herein will be the most effectual and ready means of procuring a firm and lasting Peace in all your majesty's dominions, and of begetting a perfect under-

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standing between your majesty and your people; without which your majesty's most earnest professions, and our most real intentions, concerning the same, must necessarily be frustrated. And in case your majesty's three kingdoms should, by reason thereof, remain in this sad and bleeding condition, tending, by the continuance of this unnatural war, to their ruin, your majesty cannot be the least, nor the last sufferer.—God, in his goodness, incline your royal breast, out of pity and compassion to those deep sufferings of your innocent people, to put a speedy and happy issue to these desperate evils, by the joint advice of both your kingdoms now happily united in this cause, by their late Solemn League and Covenant; which, as it will prove the surest remedy, so is it the earnest prayer of your majesty's loyal subjects, the lords and commons assembled in the parliament of England. Westminster, March 9, 1643."

"Whosoever considers that this should be a Letter from subjects, might well think it very unbeseeming language in them, to call his majesty's earnest endeavours for Peace, but professions, and their own feigned pretences, most real intentions; but much more menacing language, 'that his majesty cannot be the 'least or last sufferer;' which expressions from subjects in arms to their sovereign, what dangerous construction they may admit, we are unwilling to mention.—But we need not wonder at the manner of their expressions, when we see in this Letter, the parliament itself, as far as in them lies, destroyed; and those who here style themselves, 'The lords and commons assembled in the parliament of England,' not to resolve upon their Answer to their king, without the concurrent advice and consent of the commissioners, as they call them, of the kingdom of Scotland.—If they had only taken the advice of the Scots commissioners, they had broken the fundamental constitution of parliament; the very writs of summons, the foundation of all power in parliament, being in express terms for the lords to treat and advise with the king and the peers of the kingdom of England, and for the commons to do and consent to those things, which, by that common council of England, should be ordained, thereby excluding all others.—But their League, it seems, is gone further; the Scots must consent as well as advise, so that they have gotten a negative voice; and they, who, in the former Letter, would be the king's only council, are now become no council without the Scots commissioners. The truth is, they have (besides the Solemn League and Covenant with the Scots, which their Letter mentions, a strange and traiterous presumption for subjects to make a Covenant and League with subjects of another kingdom without their Prince) made a private bargain with the Scots touching our estates, and a private agreement, not to treat without their consent, as some of themselves, being afraid of a Treaty, openly declared to the common council of London; and therefore it is no wonder, that, being touched to the quick, with the apprehension that they are not, nor can be, in this condition, a full and free convention of parliament, they charge us with deserting our trust; and would have us to be no members of the parliament. They may remember it was our want of freedom within, and the seditious tumults without, their many multiplied treasons there, and imposing traiterous Oaths, which inforced our absence: but concerning that, and the want of freedom in parliament, we shall say no more here, that being the subject of another Declaration; only we wish them to consider by what fundamental laws of the kingdom, which they have lately wrested to serve all turns, they can exclude us from our votes in parliament, who were duly summoned, chosen, and returned members of parliament, and take in those of another kingdom to their resolutions, who are not bound by our laws.—But what violation soever they make of the laws, they are forward to put the king in mind of his duty; and therefore tell him, 'That he is sworn to maintain the laws, as they are sworn to their allegiance to him, these obligations being reciprocal.' It is true, in some sense, that the oath of the king and subjects is reciprocal; that is, each is bound to perform what they swear, the king as well as the subject; but he that will well weigh their Letter, and make one part have connection with the other, and examine that part of their Covenant, whereby they swear they will defend the king's person and authority, (no further or otherwise than in preservation of their religion and liberties) may easily find another construction, viz. That the subjects allegiance is no longer due than the king performs his duty; nay, no longer than he, in their opinion, observes his duty, whereof they themselves must be judges; and if he fail in his duty, they may take up arms against him; a principle which, as it is utterly destructive to all government, so we believe, they themselves dare not plainly avow it; lest as they now make use of it against the king, so the people, finding their failure of duty and breach of trust, should hereafter practise it, by taking up arms against them; and so shake off that yoke of tyranny imposed by their fellow-subjects, which lies so heavy upon them, that it were well, as they still press upon the king's maintenance of the laws, if they would also know that their obligation to observe the same is reciprocal; and while they here resolve to defend and preserve the full power of this parliament, (which in their sense can be no other than the power they have exercised this parliament) they would take notice that they are therein so far from observation of the laws, that they desperately resolve an utter subversion of them; for what can more tend to the destruction of the laws, than to usurp a power to themselves without the king, and against his will to raise arms; to attribute to their Orders, or pretended Ordinances, the power of laws and statutes; to in-

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force contributions, loans, and taxes of all sorts from the subject; to imprison without cause shewed, and then prohibit writs of Habeas Corpus for their enlargement; to lay excises upon all commodities; to command and dispose of the lives and estates of the free-born subjects of this kingdom at their pleasure; to impose tonnage and poundage, contrary to the law declared in the late act for tonnage and poundage; and all this done and justified, as by a legal civil power founded and inherent in them? All which are manifest breaches of the Petition of Right and Magna Charta, the great evidence of the liberties of England; which charter, by express words, binds them and us, though assembled in parliament, as well as the king; and though it be not now, as heretofore it hath been, taken by solemn Oath on the people's part as well as on the king's; nor a curse, as heretofore, pronounced on the violators; yet they, having taken a Protestation to maintain the laws, liberties, and the properties of the subject, and inclusively that charter, let them take heed, whilst they make use of this their pretended power to the destruction of the few, lest a curse fall upon them and upon their posterity.—God knoweth, and it is too certain a truth, that ourselves, and many other good subjects in this kingdom, even under the power of the king's army, have suffered exceedingly in liberty and estate, during this present rebellion, by many heavy charges; the sad consideration whereof makes our hearts bleed, because we can see no way for relief, so long as this unnatural rebellion continues: but as these things were first practised by them, and thereby necessitated upon the king's army, so it was never yet pretended that they were done by virtue of a law; but either by consent, or by the unhappy and unavoidable exigencies of war, and to expire with the present rebellion; which God in mercy hasten.—For our parts we have the inward comfort of our own consciences, witnessing with us, that we have improved all opportunities and advantages for the restoring of this kingdom to its former peace; and we must witness for his majesty his most hearty desires thereof; and though both his majesty's and our endeavours therein have been frustrated, yet God, in his great goodness, hath raised up our spirits, not to desert our religion, our king, our laws, our lives, the liberties of us English free born subjects; and, by God's assistance and his majesty's concurrence, we do resolve to unite ourselves as one man, and chearfully adventure our lives and estates for the maintenance and defence of the true reformed protestant religion of the church of England, of which we profess ourselves to be; for the defence of the king's person and rights of his crown; for the regaining and maintaining the rights and privileges of parliament, and the liberty of the subject's person, and property of his estate, according to the known laws of the land; to repel those of the Scots nation that have, in a warlike manner, entered this realm, and to reduce the subjects thereof, now in rebellion, to the king's obedience; and we doubt not but the same God will enlighten the eyes of the poor deceived people of this land, like true-hearted honest Englishmen, to join unanimously with us in so just and pious a work. And the God of Heaven prosper us according to the goodness of the cause we have in hand."

"The NAMES of the LORDS and COMMONS of Parliament assembled at Oxford, who did subscribe the Letter to the Earl of ESSEX, dated Jan. 27.

Charles, P.	Jonat. Rashleigh, esq.
York	George Faue, esq.
Cumberland	Pierce Edgcumbe, esq.
Ed. Littleton, C. S.	Wm. Glanville, esq.
Fra. Cottington	Robert Holborne, esq.
Duke of Richmond	Sir Ralph Sydenham
Marquis of Hertford	Fran. Godolphin, esq.
Earl of Lindsey	George Parry, LL.D.
Earl of Dorset	Ambr. Manaton, esq.
Earl of Shrewsbury	Sir Richard Vivian
Earl of Bath	John Polewheele, esq.
Earl of Southampton	John Arundel, esq.
Earl of Leicester	Thomas Lowther, esq.
Earl of Northampton	Sir Edward Hide
Earl of Devonshire	Wm. Allestree, esq.
Earl of Carlisle	Sir George Stonehouse
Earl of Bristol	Edw. Seymour, esq.
Earl of Berkshire	Peter St. Hill, esq.
Earl of Cleveland	Sir William Poole
Earl Rivers	Roger Matthews, esq.
Earl of Dover	Richard Arundel, esq.
Earl of Peterborough	Robert Walker, esq.
Earl of Kingston	Giles Strangways, esq.
Earl of Newport	Sir John Strangways
Earl of Portland	Sir Thomas Hele
Viscount Conway	Sir George Napier
Lord Digby	Samuel Turner, M. D.
Lord Mowbray and Maltravers	Wm. Constantine, esq.
	Henry Killigrew, esq.
Lord Wentworth	Richard King, esq.
Lord Cromwell	John Dutton, esq.
Lord Rich	Henry Brett, esq.
Lord Paget	Wm. Chadwell, esq.
Lord Chandois	Sir Theobold Gorges
Lord Howard of Charleton	John George, esq.
	Sir Thomas Fanshaw
Lord Lovelace	Hum. Coningsby, esq.
Lord Saville	Rich. Seaborne, esq.
Lord Mohun	Arth. lord Ranelaugh
Lord Dunsmore	Thomas Tomkins, esq.
Lord Seymour	Sir Sampson Eure
Lord Piercy	Sir John Colepeper
Lord Wilmot	Jeffrey Palmer, esq.
Lord Leigh	Sir John Harrison
Lord Hatton	Thos. Fanshaw, esq.
Lord Jermyn	Sir Roger Palmer
Lord Carrington	Sir Orlando Bridgman
John Fettiplace, esq.	Wm. Watkins, esq.
Sir Alexander Denton	John Smith, esq.
Sir John Packington	Sir Thomas Bludder
Sir Thomas Smith	Sir Edward Littleton
Francis Gamul, esq.	Sir Harvey Bagot
John Harris, esq.	Sir Richard Leveson
Joseph Jane, esq.	Sir Richard Cave
Rich. Edgcumbe, esq.	Richard Weston, esq.

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Sir Richard Lee	Robert Hide, serjeant at law
Sir Thomas Whitmore	Sir Edward Griffin
Sir Edward Acton	Sir Walter Smith
Charles Baldwin, esq.	George Lowe, esq.
Ralph Goodwin, esq.	Richard Harding, esq.
Thomas Howard, esq.	Sir Henry Herbert
Thos. Littleton, esq.	Endymion Porter, esq.
Sir Robert Howard	Samuel Sandys, esq.
Sir John Meux	John Bodville, esq.
Matth. Davis, esq.	Wm. Morgan, esq.
Sir Francis Cornwallis	William Thomas, esq.
Thomas Jermyn, esq.	John Mostyn, Esq.
John Taylor, esq.	Henry Bellasis, esq.
William Bassett, esq.	Sir Geo. Wentworth
Sir Wm. Portman	Wm. Mallory, esq.
Sir Edward Rodney	Rich. Aldburgh, esq.
Thomas Hanham, esq.	John Salisbury, esq.
Edward Philips, esq.	Wm. Herbert, esq.
John Digby, esq.	William Price, esq.
Edward Kirton, esq.	Sir John Price
Christ. Lukenor, esq.	Sir Richard Herbert
Sir Edward Alford	Charles Price, esq.
John White, esq.	Phil. Warwick, esq.
Jn. Ashburnham, esq.	Thomas Cook, esq.
William Smith, esq.	Sir Robert Crooke
Thomas Leeds, esq.	Herbert Price, esq.
Sir James Thinne	John Whistler, esq.
Wm. Pleydell, esq.	

"These PEERS following, being disabled by several Accidents to appear sooner, have since attended the Service, and concurred with us.

Viscount Cambden	Lord Capel
Lord Abergavenny	Lord Newport
Lord Arundell	

"PEERS employed in his Majesty's Service, or absent with Leave.

Marquis of Winchester	Lord Euers
Marquis of Worcester	Lord Deincourt
Marquis of Newcastle	Lord Pawlet
Earl of Derby	Lord Brudenell
Earl of Huntingdon	Lord Powis
Earl of Clare	Lord Herbert of Cherbury
Earl of Marlborough	
Viscount Falconberg	Lord Hopton
Lord Morley	Lord Loughborough
Lord Darcy and Coniers	Lord Byron
	Lord Vaughan
Lord Stourton	Lord Widdrington

"PEERS absent in the Parts beyond the Seas.

Earl of Arundell	Lord Coventry
Earl of St. Albans	Lord Goring
Lord visc. Montague	Lord Craven of Hamstead
Lord visc. Stafford	
Lord Stanhope	Lord Craven of Ryton

"PEERS in Prison for their Loyalty to his Majesty.

Earl of Chesterfield	Lord Montague of Boughton

"Whoever views these numbers, and considers how many peers are at this time under age, will quickly know who, and how many, are privy or consenting to the Councils at Westminster.

"These MEMBERS following, being disabled by several Accidents to appear sooner, have since attended the Service, and concurred with us.

Peter Venables, esq.	Gervase Hollis, esq.
Sir John Pawlet	Sir Patricius Curwen
Edward Bagshaw, esq.	Sir Henry Bellingham
Sir John Burlase	Sir George Dalston
Francis Newport, esq.	Sir Thomas Standford
Ant. Hungerford, esq.	Sir William Dalston
John Russel, esq.	Michael Wharton, esq.
Thomas Chichley, esq.	Sir Robert Hatton
Earl of Cork	James Scudamore, esq.
Sir Gervase Clifton	Sir John Brooke
Sir Guy Palmes	Sir John Stepney
Robert Sutton, esq.	

"Employed in his Majesty's Service, or absent with Leave, or by Sickness.

Sir John Fenwick	John Bellasis, esq.
Hugh Potter, esq.	Sir Thomas Ingram
Walter Kyrle, esq.	Lord Mansfield
Wm. Stanhope, esq.	Thō. Heblethwaite, esq.
Sir Wm. Carnaby	Sir Hugh Cholmley
Sir Thomas Danby	Sir George Wentworth
John Fenwick, esq.	Sir Walter Lloyd
Ralph Sneade, esq.	Sir Henry Vaughan
Sir William Ogle	Francis Lloyd, esq.
Sir Thomas Jermyn	John Vaughan, esq.
Sir John Stawell	Richard Ferrers, esq.
Sir Robert Strickland	George Hartnol, esq.
Sir Philip Musgrave	Sir William Udal
John Cowcher, esq.	Robert Hunt, esq.
John Coventry, esq.	Thomas May, esq.
Sir Henry Slingesby	Sir Thomas Bowyer
Sir John Malory	Sir Thomas Roe.

"Whoever now considers how many have retired themselves into several counties, and so are absent from Westminster, and yet cannot, through the danger of travelling, be present at Oxford; how many have withdrawn themselves into the parts beyond the seas; how many of their own principal instruments are voted out of the house by themselves, as sir John Hotham and his son, sir Alex. Carew, Mr. Martin, Mr. Fiennes, and many others; and how many now are imprisoned by them; how many members, from the beginning, have been factiously kept from the house upon questions of election; and how many, without any colour, are kept in, by not suffering their elections to be reported; and that there are 35 members dead, into whose rooms no new persons are chosen; how many since are become barons by descent or creation, will easily conclude how small the number is which remains, and of those how few, in truth, have right to sit there."

This Declaration of the lords and commons of parliament assembled at Oxford, was ordered, by the king, March 19, to be read in every church and chapel throughout England and Wales.

Declaration of the Parliament and the Scots Commissioners, concerning a Treaty of Peace.] About the same time the two houses at Westminster set forth a Declaration, touching the

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same proceedings relating to a Treaty for Peace; which was as follows:

A DECLARATION of the Lords and Commons in Parliament, with the Advice and Concurrence of the Commissioners of Scotland, touching a Treaty of Peace.

"We the lords and commons, in this present parliament assembled, having notice given us by the earl of Essex, lord general of the forces raised for the defence of the king and parliament, of divers Letters sent unto him by the earl of Forth; and of a writing in parchment, dated at Oxford, and subscribed by divers lords and gentlemen, inclosed in one of those Letters, and directed to the said earl of Essex; and likewise of another Letter, subscribed by his majesty, and directed thus, 'To the Lords and Commons in parliament, 'assembled at Westminster;' which, by the intimation given by the earl of Forth in his Letter, wherein it was inclosed, seemed to be intended for the two houses of parliament, (all which we have caused to be herewith printed*) did take the same into our serious consideration; and the rather, because it carried with it a rumour and pretence of a Treaty of Peace, which, being accompanied with truth, hath always been our earnest desire, and shall be our faithful endeavours to effect: and having truly weighed the same, with the circumstances thereof, do find it so far from any aim or intention to Peace, that, under the mask and title thereof, it appears to be an endeavour to make our unhappy distractions and miseries more lasting, and the war more irreconcilable. —For now, what the authors and fomenters of our sad calamities from the beginning intended, they have procured to be in substance openly professed; that is, the overthrow and destruction of this present parliament, being, under God, the only basis and support of our religion and liberty, the very bulwark between us and tyranny, popery, and superstition, which are pressing hard to over-run all the three kingdoms; and, because they foresaw the subversion of this parliament would be of hard digestion with the people, they would first digest it under the disguise of Peace; and therefore his majesty, in his application thereunto, must, by his Letter, deny the freedom and continuance thereof, and make way to the setting up of another at Oxford, in stiling that Convention by the name of 'The Lords and 'Commons of Parliament assembled at Ox-'ford;' being the same title which is therein given to the parliament, and owning this proceeding towards Peace to be by their advice: and then if, upon these terms, the two houses entertained this overture, they have gained an acknowledgment from us of being no parliament, or, at least-wise, a tacit consent of an assembly at Oxford to be in equal condition with us; but in case this address should be rejected, then they would take advantage thereby to persuade the world, that they at Oxford did labour for Peace, and the parliament was averse to Peace; and so, by this subtle insinuation, poison the affections of the people, to make the better way to ruin both parliament and people.—And therefore, that the sincerity of our actions, and the malice and subtilty of our adversaries, may be more clearly discovered, we thought it our duty, with the advice and concurrence of the commissioners of the kingdom of Scotland, to publish our proceedings to the kingdom; and to declare, That as it hath always been, and ever shall be, our earnest and faithful endeavours to put an end to the troubles and dangerous distempers of this kingdom, by a happy well-grounded Peace; so it is our settled resolution, in discharge of the trust reposed in us, never to purchase it with the loss and ruin of our religion and liberty; having before our eyes the sad spectacle of that woful kingdom of Ireland; which, after the expence of so much innocent blood, in defence of the protestant religion, is, under the false gloss of Peace, subjected and brought under the power of popery and superstition: and those bloody rebels, having effected their ends in that kingdom, are brought over hither to bring us under the same yoke; which upon this occasion, we are necessitated to publish, being now tempted by that specious pretence, to acknowledge the dissolution of this parliament; which, had we assented to, would not only deprive us and our posterity of the present, but of the hopes and capacity of any future parliament; and so, at one blow, cut in sunder the chief support and pillar of our laws and liberties; for what better assurance can we have, either of our present or future liberty, than the laws and statutes of the kingdom; and what greater obligation can we expect of the observance thereof, than his majesty's personal consent to that law, and his sacred and solemn Oath to observe the laws? And yet both these are not thought holds strong enough to secure us our own; insomuch that not only this present parliament, convened according to the common law and usage of the realm, and enacted by a law, consented unto by himself, to have continuance, and herewith printed, is attempted to be dissolved; but another endeavoured to be set up at Oxford. And if the king, notwithstanding all these obligations, shall, at his pleasure, dissolve this, the kingdom is not only deprived of the present, but made incapable of enjoying the benefit of any future parliament or laws, any longer than shall stand with the will and pleasure of the king; and, consequently the fundamentals of all our laws and government are subverted.—And we very well know this design to be long since contrived at Oxford, as appeareth by the lord Digby's intercepted Letter dated the 27th December last; and of such expectation, that he, in that Letter, expresseth it to carry along with it 'Probability of the surest and readiest way, &c. of any course that hath yet been attempt-

* They are recited in the Declaration of the Lords and Commons at Oxford, before given.

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ed;' knowing very well that, through the evils and miseries himself and his wicked confederates have brought upon this distressed kingdom, they can expect no safety but by attempting more.—And truly they could not think of any more likely way to involve themselves in the same guilt, than those lords and gentlemen now met at Oxford, who had already, contrary to their duty, and the trust reposed in them by their country, deserted the parliament, and assisted in a war against it; and had there been any doubt or suspicion of their concurrence in that design, the very place of meeting being the head quarters of a popish army, whose cause they were there to consult, of, would be a rod sharp enough to secure them from that fear. And it doth sufficiently appear, that they have answered their expectation; for they have assumed the form and exercised the power of parliament; they sit in two distinct places, terming the one the 'House of Peers,' and the other the 'House of Commons,' and they have made the Lord Littleton Speaker of that which they call the 'House of Peers,' and serjeant Eure of the other which they name the 'House of Commons.'—They have granted the sum of 100,000l. for the maintenance and recruiting of the forces raised against the parliament and kingdom, and have advised the same to be levied upon the people in an arbitrary way, by Privy-Seal, under the colour of Loan; which, by their consent and pretended authority, is accordingly put in execution, as appeareth by the Privy Seals themselves, signed by the lord Littleton and serjeant Eure, a copy of one of which we have caused to be herewith printed: and, what is beyond all, and without the power and capacity of a parliament, they have declared another kingdom, and the parliament itself, guilty of high treason; having voted our brethren of Scotland, (who, upon our invitation, and according to the act of Pacification, are come in to assist us, in maintenance of our religion and just privileges) and the two houses, who having raised forces for their own just defence, and the maintenance of their religion and liberty, traitors and rebels.—And now we refer to any sober and indifferent judgment, whether there can be a higher attempt to shake off and cut in sunder all bands of law and government, and to bring the people under the yoke and bondage of an absolute tyranny, than this is?—And we cannot chuse but admire and lament, that this kingdom should produce such unnatural monsters, who, like vipers, to make way for their own safety, would destroy the womb that bare them; and because themselves are justly cut off, as rotten and destructive branches of the representative body of the kingdom, would therefore pluck up the tree by the root, and destroy both parliament and kingdom. But when we consider the persons this idol is composed of, it produceth no great wonder; consisting not only of such, who, for betraying the trust reposed in them by their country, and their duty to the common wealth, have been justly excluded the parliament; but of the lord Digby, Piercy, Jermyn, and others, who, even before these unhappy differences, have been legally impeached or questioned in parliament for high treason; and, being convinced in their consciences of the guilt thereof, fled the kingdom to avoid their trial; and therefore, by Proclamations in his majesty's name, when his majesty was here present, summoned to appear to answer to that charge.—But our greatest grief is, That their counsels should so far prevail, as to procure his majesty, under the pretence of Peace, to be their instrument in an attempt so destructive to himself, kingdom, and people; and to endeavour the consent of the parliament to destroy itself, and their own religion and liberties; an attempt not to be paralleled by the precedents of the most pernicious times; and, if effected, would, in the end, prove as dangerous to his majesty as to the kingdom, which may be made apparent by the example of some of his predecessors, unhappily misled by the desperate counsels of private and ill-affected persons; which consideration necessitated us to return his majesty the Answer herewith printed; wherein we take the boldness, with all humility and plainness, to declare as well the duty we owe to our country, for whom we are intrusted, as the allegiance we owe to him: and that, without apparent breach of both, we could not assent to any Treaty, upon the terms expressed in his majesty's Letter; and likewise to tender unto him our humble advice of a safe and ready way to put an end to the present sad condition of his majesty's dominions; and we shall never cease, by our continual and earnest prayers to Almighty God, to implore him, that, yet at length, he would incline his royal heart to be thoroughly sensible of the unhappy divisions that have occasioned so much innocent blood to stain the land; and, by hearkening to the joint advice of both kingdoms, now happily united in this common cause by their late Solemn League and Covenant, put an happy issue to all these troubles.—This we thought necessary to declare, to the end the world may see, as well our own real endeavours to attain a safe and just Peace, as the indefatigable practices of those popish and jesuitical councils, the instruments of all our miseries; who are content to appear in all shapes, and leave no means unattempted to compass their own ends.—First, They would have undermined us by secret practices; then they would have forced us by open war; and now they would allure us, with the specious pretence of Peace, to disavow this parliament, and our just rights and privileges; and consequently resign ourselves, religion, laws, and liberties to the power of idolatry, superstition, and tyranny.—But we are constantly resolved, in discharge of the duty we owe to our God, the trust reposed in us by our country, and our late Solemn Oath and Covenant, with the hazard of our lives and fortunes, to defend our lawful rights and liberties, the freedom and

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privileges of this present parliament, and, which is above all, the true Protestant religion; wherein we shall not doubt but to receive the hearty concurrence and assistance of all well-affected protestants, and true lovers of their country and liberty; and the Lord of Hosts, whose cause it is we stand for, and upon whose assistance we principally rely, grant our endeavours a blessed and happy success."

A COPY of the King's PRIVY SEAL for borrowing of Money, mentioned in the foregoing Declaration: To our Trusty and Well-beloved RICHARD TILNEY of Rotherwick, Gent.

"C. R. Trusty and Well-beloved, we greet you well; Whereas all our subjects of the kingdom of England and dominion of Wales are, both by their Allegiance and the act of Pacification, bound to resist and suppress all such of our subjects of Scotland, as have, in an hostile manner, already entered, or shall hereafter enter into this kingdom; and, by law, your personal service, attended in a warlike manner, for the resistance of this invasion, may be required by us, which we desire to spare; choosing rather to invite your assistance for the maintenance of our army in a free and voluntary expression of your affections to our service, and the safety of this kingdom:—And whereas the members of both houses of parliament, assembled at Oxford, have taken into their consideration the necessity of supporting our army, for the defence of us and our people against this invasion, and for the preservation of the religion, laws, and liberties of this kingdom; and thereupon have agreed upon the speedy raising of 100,000*l.* by Loan, from particular persons, toward the which themselves have advanced a very considerable proportion; and, by their examples, hope that our well-affected subjects, throughout the kingdom, will, in a short time, make up the remainder; whereby we shall not only be enabled to pay and recruit our army, but likewise be enabled to put our armies in such a condition, as our subjects shall not suffer by free quarter, or the unruliness of our soldiers; which is now in present agitation, and will (we no way doubt, by the advice of the members of both houses assembled) be speedily effected.—We do, toward so good a work, by the approbation and advice of the said members of both houses here assembled, desire you forthwith to lend us the sum of 200*l.* or the value thereof in plate, touched, at 5*s.* and untouched plate, at 4*s.* 5*d.* per ounce; and to pay or deliver the same, within 7 days after the receipt hereof, to the hands of our high sheriff of that our county, or to such whom he shall appoint to receive the same, upon his acquittance for the receipt thereof; who is forthwith to return and pay the same at Corpus-Christi College in Oxford, to the hands of the earl of Bath, the lord Seymour, Mr. John Ashburnham, and Mr. John Fettiplace, or any of them, who are appointed treasurers for the receiving and issuing thereof by the said members, (by whose order only the said money is to be disposed,) and to give receipts for the same; the which we promise to repay, as soon as God shall enable us.—This sum being to be advanced with speed, we are necessitated to apply ourselves to such persons as yourself, of whose ability and affection we have confidence; giving you this assurance, that in such farther charges, that the necessity of our just defence shall inforce us to require of our good subjects, your forwardness and disbursements shall be considered to your best advantage. And so, presuming you will not fail to express your affection herein, we bid you farewell. Given at our court at Oxford, Feb. 14, 1643. By the advice of the members of both houses, assembled at Oxford. ED. LITTLETON, SAMPSON EURE."

The DECLARATION of the Lords and Commons in Parliament, assembled at Oxford according to his Majesty's PROCLAMATION, concerning their Endeavours since they came thither for the Peace of the Kingdom, and the reasons enforcing their absence from Westminster.*

"We the lords and commons of parliament, being, upon just and important reasons, absent from the city of Westminster, whither we were legally called or sent by the power and authority of his majesty's writ, when he summoned his parliament; and being, by his gracious Proclamation of the 22d of Dec. convened at Oxford, with full liberty to present our humble advice to his majesty, for the preservation of the religion, laws, and safety of the kingdom; thought it most agreeable to our duty to God, our zeal and tenderness of his majesty's honour and safety, and our affection and compassion of the bleeding condition of our miserable country, to use our utmost and earliest endeavour, to prevent the effusion of more Christian English blood; and close those wounds, through which this kingdom is in danger, in a short time, to languish even to dissolution. And finding the ill success which had attended all the overtures of Treaty and Accommodation made by his majesty; his majesty's most gracious message from Nottingham being with so much contempt rejected, which being sent by members of both houses, those messengers were not suffered to deliver it as members, or to sit in the house whilst the same was debated, contrary to the privilege of parliament; and that to the two last Messages sent by him, of the 12th of April and 19th of May, (in both which are most gracious expressions of his princely and passionate inclinations to Peace) there hath not been the least answer returned to his majesty; but, on the contrary, his messenger imprisoned,

* The Explanatory Notes to this Declaration, which are omitted in Rushworth, are taken from the Oxford edition of it, printed by the king's authority.

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and to this day detained;* and an Order that, on pain of death, none should presume to come thither from his majesty, upon what business soever, without leave from the earl of Essex: in pursuance of which Order, though the same passed only the commons, a sworn messenger of his majesty's hath been barbarously put to death, for carrying a legal writ to London;† we thought any address for Peace would most successfully pass through his hands; and that when he had considered how unhappily he had been made an instrument of so much blood and devastation, he would, with great chearfulness have interposed in a business of reconciliation, and at least have met us half way in so blessed a work; and therefore, with his majesty's leave, (which he most readily and graciously gave us, and for which we doubt not he shall receive the thanks and prayers of all his good subjects) we directed a Letter to that purpose to him, signed under our hands. Whosoever reads that Letter, (and we hope it will be read by all men) will bear us witness, (and it will be a witness against those who have rejected it) that we have done our parts. Instead of vouchsafing us any Answer, or proposing to us any other way towards Peace, (if that which we proposed was not thought convenient) he writes a short Letter to the earl of Forth, general of his majesty's army, acknowledging the receipt of ours, but saying, 'That 'it neither having address to the two houses of 'parliament, nor therein there being any ac-'knowledgment of them, he could not commu-'nicate it to them;' whereas the Address was in the way prescribed under pain of death, no address being allowed, as aforesaid, but by the earl of Essex; and he being desired to represent to, and promote with those by whom he is trusted, our most sincere and earnest desire of a Treaty; so that if there had been the least inclination to, or enduring of, an overture of Peace, he might have as easily communicated it to all those by whom he is intrusted, as to a committee, by whose advice, it is well known, his Answer was sent; and with it, and as a part of it, a Paper entitled, 'The Declaration of the kingdom of Scotland,' and 'A Declaration of the kingdom of England and Scotland,' and another, 'A Solemn League and Covenant;' the Declarations and Covenant being against the king of both kingdoms, without the consent of and against the major part of the nobility, and, we are confident, the gentry and commonalty of this. And if his lordship would make good his own Letter, and spend his blood, or but use his endeavours, for the maintenance of the parliament of England, being indeed the foundation whereupon all our laws and liberties are supported, we should not treat at this distance, at least a Treaty would not be rejected.—We suffered not ourselves to be discouraged with this refusal, but a Safe-Conduct was desired for two gentlemen (against whom there neither was, nor could be, the least exception) to go to Westminster, to present such Propositions as might best conduce to the peace of the kingdom; conceiving that, by such means, our meaning and intentions might best appear, and all formalities and unnecessary insisting and mistakes upon words might be removed. This Safe-Conduct (which had never been denied by his majesty, or his generals, to any person who hath desired to have admittance to him) was likewise absolutely refused by the earl of Essex; yet with some expressions, 'That if any Proposition should be sent to those by whom he was intrusted, he would use his utmost endeavours to advance the Peace;' which, though it seemed nothing agreeable to his former Answers, obtained yet so much credit with us, that we besought his majesty once more, in his own royal name, to press and desire a Treaty; and to direct his Message under such a title, that they who call themselves the two houses of parliament could not take any exception, but should be compelled to return some Answer or other. And an Answer it hath drawn from them, but such a one as will sufficiently inform the world (if there could yet have remained any doubt of it) how much they are enemies to Peace.—Those Answers and Declarations, and that Covenant, are likewise public to all men; God and the world must judge between us. In the mean time we must, without bitterness or sharpness of language, to which neither example or provocation shall transport us) tell these men, That most of us are too well known, even to themselves, to be suspected to incline to be either papists or slaves; or that we can possibly be made instruments to advance either popery or tyranny. And since the defence of the religion, laws, and liberties of the kingdom, seems to be (and in truth is on our part) the argument of this bloody contention; and that we are endeavouring all ways to destroy one another, in the behalf of that we all do, or all pretend to desire: we think ourselves obliged to truth, to the present age, and to posterity, to let the world know, That as we are much more tender of the religion, laws, and liberties of the kingdom, than of our lives and fortunes; so the uneasy condition wherein we are, and the heavy judgments and proscriptions imposed on us by our equals, have proceeded, and been caused, from that conscience, loyalty, and duty, in which we have been born and bred; and from which we could not swerve, without the manifest breach of our allegiance and those civil oaths we are obliged by; as, we hope, will appear to all men by this our ensuing Declaration.—We shall pass over (only acknowledging his majesty's abundant care and favour to his people) those excellent laws made this parliament, for the vindication and removal of those mischiefs and inconveniences, which seemed to threaten our rights and liberty; to all which there are very few amongst us who concurred not fully, however we are now traduced with the negligence of both; and that most gracious offer of his ma-

* Alexander Hampden. † Daniel Kniveton.

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jesty, to consent to an act for the ease of tender consciences in matters indifferent; which, if it had been accepted, would have prevented many of the miseries which have since befallen this poor kingdom. And because the name and privilege of parliament is pretended in defence of those actions, which are done contrary to the known laws, by which only right and wrong can be measured and determined; and, by that venerable name, many of our companions and friends have been led into unwarrantable actions: before we come to consider the state and condition of the religion, laws, and liberty of the kingdom by these distractions, we shall let the world know how much the inherent and essential privileges of parliament have been violated; how we, being called by his majesty, and trusted by our country with their suffrages in that council, have been driven, and are now kept, from the place whither we were first called by his majesty, and where some members still sit; and, lastly, how far this miserable, and, to say no more, this unjustifiable civil war, and this desperate and odious invitation of a foreign power to invade this kingdom, is from having the countenance, authority, and approbation of the two houses of parliament.—The great industry and ill arts used by those who have since been principal instruments of the present rebellion, to bring in persons of their faction into the house of commons; the admitting and receiving such who were neither lawfully chosen, or lawfully returned by their country, and the putting and keeping out others whose opinions were not liked: the reprehending, reproaching, and imprisoning of members for speaking freely according to their consciences in matters in debate: the posting and setting up men's names in public places, and proscribing them as enemies to their country, who dissented, in the houses, in opinion in matters debated, and, being complained of, no reparation granted: the sitting at unparliamentary hours, thereby wearying and tiring many members from attendance; and so, in a thin house, altering and reversing the Resolutions taken in a full house: The refusing to receive and the suppressing Petitions against persons in favour, though in point of bribery and corruption in judicatory?* and the like of other Petitions from whole counties, for the preservation of the government of the church, as from Nottinghamshire and Somersetshire, whilst others against it were received with great countenance and approbation, from mean, unknown people: the getting with great labour, and faction, several hands to Petitions from counties, and then framing new Petitions at London, and annexing the hands formerly gotten in the country to those Petitions of which they who subscribed their hands knew nothing, as in the Petition of Buckinghamshire: the setting names in London to Petitions in the name of, as if they had been subscribed in, remote counties: the usurping of jurisdictions to supersede acts of parliament, and to dispense with the breach of laws in force: the suffering undutiful and disloyal language against the sacred person of the king, without so much as reprehension, and the denying his majesty's negative voice, we insist not so much on (though very prejudicial and scandalous to the privileges and honour of parliament) as on those acts of force and violence, which are contrary and destructive to the freedom and liberty of parliament.—Shortly after his majesty returned from Scotland, there being a very long debate in the house of commons concerning an unparliamentary Remonstrance to be published to the people of the state of the kingdom, which many of us then thought might prove prejudicial to the peace thereof, capt. Venn, then a member of the house of commons, who had before bragged of having brought down the people upon the two houses, and so drawn resolutions from them, sent notes in writing, under his hand, into the city, that the people should come down to Westminster, for that 'the better part of the house was like to be overpowered by the worser part; whereupon, both at that time and some days after, multitudes of the meanest sort of people, with weapons not agreeing with their condition or custom, in a manner very contrary and destructive to the privilege of parliament, filled up the way between both houses, offering injuries both by words and actions to, and laying violent hands upon, several members; proclaiming the names of several of the peers, as 'evil and rotten-hearted lords', crying out many hours together against the established laws, in a most tumultuous and menacing way.—This action of capt. Venn's was complained of to the house of commons, and witnesses offered to prove it; a fellow who had assaulted and reproached a member of the house of commons in those tumults was complained of, and shewed to the house, in the number of those who brought a Petition to the bar; and yet, in neither of these cases, justice, or so much as an examination, could be obtained.—Upon a suggestion and pretence of danger, and suit made to his majesty, a guard was allowed and appointed by him for the security of both houses: shortly after, this guard was refused and discharged by themselves, and a new guard appointed by them without his majesty's consent, thereby to awe all those who concurred not with them. A legal writ issuing out by the direction of the house of peers, under the Great Seal of England, to prevent those tumults, which daily infested both houses; the justices of the Peace, for executing that writ according to their oaths, were imprisoned by the house of commons. A commission under the great Seal of England, for enquiry after riots committed in Southwark, was likewise superseded by an Order of the house of commons; and when the lords desired, by several Messages, that the house of

* As in the case of the late earl of Manchester, lord privy seal.

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commons would join with them in a Declaration against tumults, they refused or neglected to join with them; it being said by Mr. Pym, in the House of commons, 'God forbid we 'should dishearten our friends who come to assist us.' And albeit some of the lords professed, That if the people were again drawn down into that tumultuous manner, they would no more come to the house; and albeit an Order was made, That, in such a case, the house should be presently adjourned; yet those tumults again appearing, that Order, though urged by several lords, was not suffered to be executed.—The house of commons having desired the house of peers to join with them, in desiring his majesty that the Militia of this kingdom might be put into such hands as both houses did confide in; and this desire having been put to the question, and carried negatively by much the major part of the lords: it being again resumed at another time, contrary to the course of parliament, the debate was begun with a Declaration made by several of those lords, against whom that question was twice carried by Votes, and that by much the major part, that 'whosoever refused in this particular to 'join with the house of commons, were in their 'opinions, enemies to the state;' words destructive to the liberty and freedom of debate.—During the time that this business of the Militia was in debate, (that is, before it had the approbation and consent of the house of peers) a Petition, in a tumultuous manner, was delivered to the house of lords, in the name of the 'Knights, gentlemen, freeholders, and others 'the inhabitants of the county of Hertford,' reckoning up the causes of the present fears, troubles, and distractions; and, among them, the want of compliance in that honourable house with the house of commons, in entertaining those many good motions, and passing those necessary bills presented to them from that house, for the public good; and desiring liberty to protest against all those, as enemies to the public, who refused to join with the lords, whose endeavours were for the public good, and with the commons for the putting the kingdom into a posture of safety, under the command of such persons as the parliament should appoint.—Several Petitions of the same nature, particularly one under the title of 'The 'Knights, gentlemen, freeholders, and other in-'habitants of the county of Surrey,' directed to the house of peers; concluded, thus, 'That 'they should be in duty obliged to maintain 'their lordships, so far as they should be united 'with the commons in their just and pious 'proceedings;' sufficiently intimating, That if they joined not with the commons, they then meant as much as others had plainly professed.—About the same time, a citizen saying at the bar of the house of commons, 'That they 'heard there were lords who refused to con-'sent and concur with them, and that they 'would gladly know their names,' or words to that effect: a Petition, in the name of many thousand poor people, in and about the city of London, was directed to the house of commons, 'taking notice of a malignant faction that 'made abortive all their good motions, which 'tended to the peace and tranquillity of this 'kingdom; desiring that those noble worthies 'of the house of peers, who concurred with 'them in their happy votes, might be earnestly 'desired to join with that honourable house, 'and to sit and vote together, as one entire bo-'dy;' and professing, 'that unless some speedy 'remedy were taken for the removing all such 'obstructions, as hindered the happy progress 'of their great endeavours, their petitioners 'should not rest in quietness; but should be 'forced to lay hold on the next remedy which 'was at hand, to remove the disturbers of the 'peace, and (want and necessity breaking the 'bounds of modesty) not to leave any means un-'essayed for their relief:' lastly, adding, 'That 'the cry of the poor and needy was, That such 'persons, who were the obstacles of their peace, 'and the hinderers of the happy proceedings of 'this parliament, might be forthwith publickly 'declared, whose removal they conceived would 'put a period to those distractions.' And this Petition was brought up to the house of lords by the commons, at a conference; and after the same day, Mr. Hollis, a member of the commons, in a Message from that house, pressed the lords at their bar to join with the commons in their desire about the Militia; and farther, with many other expressions of like nature, desired, in words to this effect, 'That if 'that desire of the house of commons was not 'assented unto, those lords who were willing 'to concur would find some means to make 'themselves known, that it might be known 'who were against them, and they might make 'it known to those that sent them.' After which Petition so strangely framed, countenanced, and seconded, many lords thereupon withdrawing themselves, the Vote in order to the Militia, twice before rejected, was then passed.—After these and other unparliamentary actions, many things, rejected and settled upon solemn debate, were again, after many threats and menaces, resumed, altered and determined, contrary to the custom and laws of parliament: and so many of us withdrew ourselves from thence, where we could not, sit, speak, and vote with honour, freedom, and safety; and are now kept from thence for our duty and loyalty to our sovereign. And though some of us sat and continued there long after this, hoping that we might have been able to have prevented the growth and progress of farther mischief; yet since the privilege of parliament is so substantial and entire a right, that as the invasion of the liberties of either house is an injury to the other, and the whole kingdom; so the violence and assaults upon any of our fellow-members, for expressing their opinions in matters of debate, were instances to us what we were to look for when we should be known to dissent from what was expected; and, under that consideration, every one of our just liberties suffered violation.—Many of us, for

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these and other reasons, after his majesty himself was by many indignities and force driven from Westminster, have been, contrary to the right and freedom of parliament, voted out of the house, without committing any crime; and some of us without a hearing, or so much as being summoned to be heard; and so our counties, for which we were and are trusted, have been without any proxies or persons trusted on their behalf; an army hath been raised without and against his majesty's consent; and a Protestation enjoined to live and die with the earl of Essex, their general of that army; and a member, now amongst us (Mr. Gamull) refusing to take that Protestation, was told, 'That if he left not the town speedily, he should be committed to the Tower, 'or knocked on the head by the soldiers.' All persons, even the members of both houses, have been, and now are, forced or enjoined to contribute for the maintenance and support of that army.—A traiterous Covenant is since taken by the members who remain, and imposed upon the kingdom, 'That they will, to 'their power, assist the forces raised and continued by both houses of parliament, against 'the forces raised by the king;' with many other clauses, directly contrary to their allegiance; and another for the alteration of the government of the church established by law; and such members as have refused, according to their duty and conscience, to take those Covenants, have been imprisoned or expelled; so as they have suffered none to reside with them, but those who are engaged with them in their desperate courses.—The whole power and authority of both houses is delegated, against the law and nature of parliament, to a close committee; which assumes and usurps the power of king, lords, and commons, and disposes of the persons, liberties and estates of us and our fellow-subjects without so much as communicating their Resolutions to those that sit in the houses. And when an Order hath been reported, to be confirmed by them, it hath been only put to the question, no debates being suffered; it having been said in the house where the commons sit, to those who have excepted against such an Order, when presented, 'That they were only to vote, not to dispute;' and thereupon all argument and contradiction hath been taken away.—And to shew how impossible it is to contain themselves within any bounds of civility and humanity, when they have forfeited their allegiance, after the attempt, in a most barbarous manner, to murder the queen's majesty at her landing at Bridlington, (p. 89), by making many great shot at the house where she lodged for her repose after a long voyage by sea, (where, by God's blessing it was disappointed) they impeached her of high treason, for assisting the king her husband, and the kingdom in their greatest necessities.—All Petitions and Addresses for Peace have been, with great art and vehemence, discountenanced and suppressed; whilst others, for sedition and discord, have, with no less industry and passion, been promoted. And when the members of the house of commons, in August last, had agreed upon a long and solemn debate, to join with the lords in sending Propositions of Peace to his majesty, the next day printed papers were scattered in the streets, and fixed upon the public places, both in the city and suburbs, requiring 'all persons well-affected to rise as 'one man, and to come to the house of com-'mons next morning, for that 20,000 Irish re-'bels were landed;' which direction and information was likewise, that day, given in pulpits by their seditious preachers; and in some of those papers was subscribed, 'That the 'Malignant Party had over-voted the Good, 'and if not prevented there would be peace;' the Propositions for Peace being, the day before, carried by 29 voices: a Common Council was called late at night, though Sunday, and a Petition there framed against Peace; which was, the next morning, brought to the house, countenanced by alderman Pennington, a known promoter and governor of those tumults, and attended with a great multitude of mean persons, who used threats, menaces, and reproaches to the members of both houses; their Petition took notice of 'Propositions passed 'by the Lords for Peace, which, if allowed, 'would be destructive to religion, laws, and 'liberties;' and therefore desired an Ordinance, according to the tenor of an act of their common council the night before: thanks was given them by the commons, whilst the lords complained of the tumults, and desired a concurrence to suppress them, and to prevent the like; many of the people telling the members of both houses, 'That if they had not a good an-'swer, they would be there the next day with 'double the number.' (see p. 160). By these threats and violence, the Propositions formerly received were rejected, and all thoughts of Peace laid aside.*—Shortly after, great num-

* Mr. Denzil Hollis, who appears by the Journals to have been one of the tellers upon this occasion, gives us the following account of this last attempt for Peace: "The house of lords, in the summer after the beginning of our troubles in 1643, having resolved to deliver themselves and the kingdom from this Ægyptian slavery, had prepared a message to the king, with overtures for an Accommodation; and sent it down to the commons on a Saturday, where the major part seemed to be of the same mind; and, after a long dispute and much opposition, prevailed to take it into consideration, made an entrance into it, agreed to some particulars, and, it growing late, adjourned the further debate till Monday morning; against which time these firebrands had set the city in a flame, as if there were a resolution to betray all to the king; and thereupon brought down a rabble of their party, some thousands, to the house of commons door, who gave out threatening speeches, and named among themselves (but so as they might be

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bers of Women resort to the house where the commons sat, with a Petition for Peace, (see p. 160); troops of horse were hereupon sent for, who wound and kill several of the women, and disperse the rest; then special notice was taken of those members who seemed most importunate and desirous of Peace, and thereupon the late Covenant eagerly and severely pressed upon them: by reason whereof, and the other miscarriages whereby their freedom was absolutely taken from them, divers of both houses withdrew themselves. And we must now appeal to all our fellow-subjects of this kingdom, who have taken the oaths of allegiance and supremacy; who have any knowledge of the rights, customs, and privileges of parliament, or of the frame and constitution of this realm, whether we or they have failed in our duty to our king or country; and whether we have not, in discharge of a good conscience, undergone the evils we have borne: And then, we doubt not, we shall not be thought less members of parliament, though we are not at Westminster, than if that city were in the possession of a foreign enemy; yet we confess the place to be so material, that if there were that liberty and freedom which is due to the members, and indeed is the life of parliaments, the act of those in the house, being a lawful act, is the act of the house, though there were a greater number absent, who were all of another opinion: but in our case, when we are by force driven away, and by force kept away; and when nothing can be said to justify the actions which are done, but the reputation and number of the actors, we rely so much upon the understanding and honesty of our countrymen that they will believe, when they see our concurrence and unanimity in resolutions and counsels for their peace, welfare, and security, (as we are confident the number of those who concur in this Declaration is greater than hath concurred in most, if not in any, of those things of which we complain) that it will be better for them to be advised by us at Oxford, than by those at Westminster; from whence we are absent only by reason of those outrages and violences offered to our persons or our consciences, which take away all freedom, and consequently all authority, from those councils; and where indeed these men ought not to undertake to act any thing, till that freedom and liberty be restored to us; who, as long as this parliament shall continue, notwithstanding all the Votes of those who are guilty of treason and rebellion, must account ourselves, and shall be accounted by our country, the true and lawful members of parliament.—Having said thus much to undeceive our brethren, and that our fellow-subjects may be no longer seduced to unlawful actions, by colour and pretence of parliament, we shall briefly present to their view and consideration the Danger and Condition of his Majesty's Person, his Honour and Rights, with the Religion and Liberty of the kingdom; the defence and maintenance of which those persons, with whom we cannot agree, seem and pretend to undertake.—For their care of the Honour and Safety of his Majesty's Person, to the which we are so absolutely obliged, and so solemnly sworn, we shall need only to mention, which we mention with great sadness of heart and horror, the taking by force his majesty's forts, towns, and navy; the assuming a power over the Militia of the kingdom; the denying his majesty's negative voice; the uncomely, insolent, and disloyal mentioning of his majesty's person; the neglect, contempt, and violation of leagues made by his majesty with foreign princes, in the injuries and affronts done to their public ministers, and otherwise; the transcendent presumption of sending agents to foreign princes, and in the name of the states of England; the traiterous distinction between the Person of the king and his office, and declaring, That an attempt upon his life is not high treason; which doctrine is so much countenanced, that persons, who have threatened to kill the king, having been complained of, have been left unpunished, and the witnesses and prosecutors threatened or discountenanced; the raising an army against him, and therewith giving battle to his person; all which are known to be very unagreeable to the affection, duty, and loyalty of subjects and Englishmen.—Concerning Religion; we cannot but, with bleeding hearts, and trembling souls, consider the unheard-of impieties and profanations exercised in churches and consecrated places; the countenance and licence given to scandalous, debauched, ignorant lay-persons to preach and exercise the office of the ministry; the suppressing and cruel using and imprisoning, in goals, and on ship-board, godly, learned, orthodox divines, famous and exemplary in their lives and doctrine, the most eminent assertors of the Protestant religion against popery and innovations; the scurrilous and scandalous reviling, scoffing, and suppressing the Book of Common Prayer, compiled by glorious martyrs for the protestant religion, established by law and so long and so publickly used and acknowledged as an excellent and an unparalleled form of devotion and divine service; the suspending the execution of the act of parliament made in the first year of queen Elizabeth, of famous memory, for uniformity of Common-Prayer, by an Order under the hand of a private mem-

heard) some members of the house, whom they said they looked upon as enemies, and would pull out of the house; which did so terrify many honest timorous men, and gave that boldness to the others, as, contrary to all order, they resumed the question that was settled on Saturday for going on with the business; and at last carried it, by some voices, to have it laid aside; which was the highest strain of insolency, the greatest violation of the authority and freedom (the two essential ingredients) of a parliament that, before that time, was ever known." Memoirs, p. 9.

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ber (Mr. Pym) of the house of commons, and that during the recess of both houses; the stirring up and inciting the people to rebellion, in pulpits; and, which is the greatest scandal and reproach to the protestant religion that can be imagined, the making religion itself the ground and cause of rebellion: lastly, after having lived so many years in the most glorious and most unblemished church of Christendom, the total defacing and pulling down the whole fabrick of it; censuring and reproaching the doctrine, and destroying the discipline; and, as if we were cast a-shore in some uninhabited climate, where the elements of Christianity were not known, the calling, without the least shadow or colour of law, or lawful authority, against his majesty's express consent, manifestly against the statute 25th Hen. 8. an Assembly of Divines, composed of some noblemen, gentlemen, and ministers, (all under the stile of Godly and Learned Divines) most of which are not otherwise known than by their schism and separation from that church, in which they were born, and to which they have subscribed; and these men now must new-make and mould the religion, by which we must all be saved. God in his good time, we hope, will vindicate his own cause, and repair the breaches which have been lately made.—For the Laws of the Land and the Liberty of the Subject, so speciously urged and pretended to be the end of those who have disturbed our peace, we need say little; every place and every person is an ample evidence and testimony of the bold and avowed violation of either. The Charter of our Liberties, Magna Charta, so industriously and religiously preserved by our ancestors, and above 30 several times confirmed in parliament; that rampire and bulwark of all the precious privileges and immunities which the subjects of this kingdom could boast of, and which distinguishes them from all the subjects of Christendom, is levelled and trampled under foot, scorned, despised, and superseded by Votes and Orders: men of all sorts, clergy and laity, imprisoned without the least charge that, by the law, is called a crime; and their estates are sequestered by persons of whom the law can take no notice; committees, made by committees, rob, banish, and imprison the lords and commons of England; men committed, by persons of no authority, for no cause, to prison, have, by Habeas Corpus (the good old remedy and security for our liberty) been brought to the King's-Bench; and, by command of those who first committed them, remanded, and commands given to the judges that they should grant no Habeas Corpus (which they were sworn to grant) to any persons committed by them, or by those to whom they grant authority to commit, which themselves have not power to do.—Neither can we pass over the motion made by Mr. Rigby, a member of the house of commons, to transport those lords and gentlemen who were prisoners, and by them accounted Malignants, to be sold as Slaves to Algiers, or sent to the new plantation in the West-Indies; urged the second time with much earnestness, because the proposer had contracted with two merchants to that purpose; the which, though it took no effect at that time, may awaken those who have observed so many things to pass and be ordered, long after it had been once or twice denied and rejected: and who sees the new and inhuman way of imprisoning persons of quality under decks on ship-board, by which cruel usage many of our countrymen have been murdered, may have reason to fear they may be hereafter carried a longer voyage than is yet avowed.—The twentieth part of our Estates is at once taken; and, if we are not willing to obey that Order, the other 19 are taken from us as Malignants; a term unknown and undefined, and yet crime enough to forfeit our lives, and all that we have. Our fellow-subjects have been executed in cold blood, for doing that which, by the laws of God and man, they were bound to do;* and, after their murder, their estates seized, and their wives and children exposed to misery and famine. Laws made, and penalties imposed by laws, in this parliament, are suspended, dispensed withall; and those things done by Order, against which those laws were made. And, that there may be no face of justice over the land, the judges are prohibited to ride their circuits, for the administration of that justice which the king owes his people, and they are bound to execute.—And after all this, and after the merciless shedding so much English blood; after the expending so much money, much of which was given for relief of our poor Protestant brethren of Ireland, and diverted for the improving the distractions at home; after the transportation of such vast sums of money and great treasure into foreign parts, to the unspeakable impoverishing this poor kingdom; to make our misery lasting and our confusion compleat, a foreign enemy is invited and brought into the bowels of this kingdom, to drink our blood, to divide our possessions, to give us new laws, and to rule over us; and, the better to make way to those horrid impositions, by confounding and making void all civil rights and properties, and the better preparing the kingdom to be shared by strangers, a new Great Seal, the special ensign of Monarchy, and the only way by which justice is derived and distributed to the people, is counterfeited and used; albeit it be, by the express letter of the statute of the 25th Edw. 3. declared to be high treason.—Having now made this clear, plain Narration to the kingdom, the truth and particulars whereof are known to most men; that when posterity shall find our Names in the records of these times, (as members trusted by our country in that great council, by whose authority and power the present alteration and distraction seems to be wrought) it may likewise see how

* Mr. Yeomans and Mr. Bouchier of Bristol. Mr. Tompkins and Mr. Challoner at London, and divers others.

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far we have been, and are, from consenting to these desperate and fatal innovations, we cannot rest satisfied without declaring and publishing to all our fellow-subjects, and to the whole world, That all our intentions and actions have been, are, and shall be, directed to the defence of his majesty's person and just rights, with the preservation of the true protestant religion and liberties of the kingdom established by law: That as we do, with all humility to God Almighty, and as a great blessing from him, acknowledge his majesty's happy and religious reign and government over this kingdom, and especially the excellent laws and statutes made in this time, and particularly those in this parliament; so we do, with all duty and submission, declare, That his majesty is the only supreme governor of this realm in all causes ecclesiastical and temporal: that his natural person is not to be divided from his kingly office, but that our natural allegiance, and the oaths of allegiance and supremacy, do bind us and all his other subjects to loyalty and allegiance to his natural person: that his majesty's negative voice, without which monarchy is dissolved, is an inherent right of his crown; and that no Orders of one or both houses of parliament, without his majesty's express consent, can make a law to bind the subjects, either in their property or liberty: that we do, from our souls, abhor the present rebellion raised in this kingdom against his majesty; and that all his majesty's subjects are bound, by their natural allegiance, and the oaths lawfully taken by them, to the utmost of their power, to resist and repress the same; and particularly the army now under the command of the earl of Essex, and all other armies raised, or to be raised, without his majesty's consent, under pretence of the authority of the two houses of parliament. And we do disclaim all Votes, Orders, and Declarations in countenance or maintenance of the said armies: and declare, That no Oath or Covenant, voluntarily taken or inforced, doth, or can, bind or dispense with the breach of those other Oaths formerly and lawfully taken to his majesty: and that all those who aid, assist, or abet this horrid and odious rebellion, are, and ought to be, accounted and pursued as traitors by the known laws of the land: that we utterly detest and disclaim the invitation which hath been made to his majesty's subjects of Scotland, to enter this kingdom with an army; the same being as much against the desires, as against the duty of the lords and commons of England, and all true-hearted Englishmen: and as we do declare and publish to the world, That any such invasion, or hostile entry into the kingdom, by the rebellious subjects of Scotland, is a direct and peremptory breach of the late act of Pacification between the two kingdoms; so we, and all the subjects of this kingdom, are bound, by our allegiance, and by that very act, to resist and repress such invasion; and whosoever is or shall be abetting, aiding, or assisting to those of Scotland, in their hostile invasion of this kingdom, ought to be looked upon as betrayers of their country, and are guilty of high treason by the known laws of the kingdom.—And that our weak, misled and seduced countrymen may no longer pay an implicit regard and reverence to the abused name of Parliament, which those guilty persons usurp to themselves; and so submit to those actions and commands, which two houses of parliament (never so legally and regularly constituted) have not authority to require or enjoin; and since these men will not suffer their poor country to be restored, by a Treaty, to the benefit of a parliament, which would, with God's blessing, easily remove these miseries, and prevent the like for the time to come; we must and do declare to the whole kingdom, That as at no time, either or both houses of parliament can, by any Order or Ordinance, impose upon the people without the king's consent: so, by reason of the want of freedom and security for all the members of parliament to meet at Westminster, and there to sit, speak, and vote with freedom and safety, all the Actions, Votes, Orders, Declarations, and pretended Ordinances, made by those members who remain still at Westminster, are void and of none effect: and as many of the lords and commons, assembled at Westminster, as have at any time consented to the raising of forces under the command of the earl of Essex, or to the making and using the new Great Seal, or to the present coming of the Scots into England, in a warlike manner, have therein broken the trust reposed in them by their country, and ought to be proceeded against as traitors. And yet we are far from dissolving, or attempting the dissolution of, this parliament, or the violation of any act made and confirmed by his majesty's royal assent this parliament, which we shall always maintain and defend. Acts of parliament are only in danger to be destroyed by those who undervalue and despise the authority and power of acts of parliament; who therefore deny the king's negative voice, and neglect his concurrence, that their own resolutions may be reputed as acts of parliament, to the ruin and confusion of all laws and interests.—It is our grief, in the behalf of the whole kingdom, that since the parliament is not dissolved, the power thereof should, by the treason and violence of these men, be so far suspended, that the kingdom should be without the fruit and benefit of a parliament; which cannot be reduced to any action or authority, till the freedom and liberty, due to the members, be restored and admitted; and they only who oppose this must be looked upon as the enemies to parliament; in the mean time we neither have or shall attempt any thing for the adjourning, dissolving, or proroguing thereof otherwise than as it may stand with the act in that case provided.—Lastly, we declare, That all our endeavours, actions, and resolutions tend, and are directed, and shall always be directed, to the maintenance of God's true Religion, established by law, within this kingdom; to the Defence of

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his majesty's sacred Person, his honour, and just rights; to the preservation of the Liberty and Property of the Subject, settled, and evident, by the laws, statutes, and customs of the realm; and the just freedom, liberty, and privileges of parliament: and that what we shall do, for the defence and maintenance of all these, proceeds from the conscience of our duty to God, our king, and country, without any private and sinister ends of our own; and out of our sincere love to truth and peace, the which as we have, so we shall always labour to procure, as the only blessed end of all our labours.—And we do therefore conjure all our countrymen and fellow-subjects, by all those precious obligations of religion to God Almighty, of loyalty towards their sovereign, of affection towards one another, and of charity and compassion towards their bleeding country, to assist and join with us in suppressing those enemies to Peace, who are so much delighted with the ruin and confusion they have made, that they will not so much as vouchsafe to treat with us, that all specious pretences might be taken away, and the grounds of this bloody contention clearly stated to the world.—If these men, with a true sense and remorse of the ill they have done, shall yet return to their duty and loyalty, they shall, God willing, find us of another temper towards them, than they have been towards us; and if the conscience of their duty shall not draw all our fellow-subjects and countrymen to join with us in assisting his majesty; we hope that the prudent consideration, That it is impossible to reason for our miserable country ever to be restored to peace and happiness, but by restoring all just and legally due power and authority into his majesty's hands again, will direct them what is fit to be done by them.—And if any yet shall be so unskilful, and to say no worse, vulgar-spirited, to hope, by a neutrality and odious indifferency, to rest secure in this storm, though we shall not follow the examples of other men, in telling them, That their estates shall be forfeited and taken from them, as pernicious and public enemies; yet, God be thanked, the law is not so suppressed, but that it proceeds in attainders and forfeitures; and all men know an estate escheated to his majesty by high treason, is as much, and as legally his majesty's, or his to whom his majesty grants it, as ever it was the unhappy person's who hath so forfeited it; yet we must let them know, that their condition is like to be very dangerous; and that as they (for resistance of whom his majesty's armies are raised) have declared to them what they are to expect at their hands, that is, to be dealt with as pernicious and public enemies; so they have reason to believe, that his majesty cannot look upon them as persons who have performed that duty they are obliged to by their natural allegiance, and their oaths enjoined by law; which is, 'To defend the king 'to the utmost of their power, against all con-'spiracies and attempts whatsoever, which 'shall be made against his majesty's person, 'his crown and dignity; and to do their best en-'deavours to disclose and make known to him 'all treasons and conspiracies which shall be 'against him; to their power to assist all juris-'dictions, privileges, pre-eminences, and au-'thorities belonging to him, or united to the 'imperial crown of this realm.' The just and pious consideration and weighing of which oath and obligation must stir up all men of loyalty and conscience, to be industrious and active on his majesty's behalf against this horrid and odious rebellion, and against the authors and fomenters of the same.—And we are confident it will not a little increase the indignation of all good and true Englishmen to find these disturbers of their peace, who have so speciously pretended the defence of the rights and privileges of parliament, unite themselves with, and govern their actions by, the concurrent advice and consent of commissioners of another kingdom, whose business is to alter our laws, and confound our government. And if all the other particulars, so plainly set down in this Declaration, and so publicly known to most men, were wanting, there could not be a greater instance of deserting the dignity and right, and as much as in them lies, cancelling all the liberties and privileges of parliament, than for these men to break the trust reposed in them by their country; and to submit themselves to the advice, and oblige themselves to the consent, of agents of another kingdom, who have cast off their allegiance, and united themselves together against their natural and native king, and against the laws of both kingdoms; and have given an ample testimony to all those they have misled, how far they are from submitting or intending to be governed by parliament, or by those who would yet be thought the two houses of parliament, by joining 4 Scotsmen (agents for that rebellious army which hath invaded this kingdom) in equal power and authority with 7 lords and 14 commons; by whose sole and uncontrouled managery and consent, all business of Peace and War, which doth or may concern this languishing kingdom, must be governed: and yet these men take it very heinously, that his majesty should move them, in order to Peace, to agree that all the members of both houses may securely meet in a full and free Convention of Parliament; because, they say, 'From thence no other con-'clusion can be made, but that this present 'parliament is not a full nor free convention, 'and that to make it such the presence of us 'is necessary.'—We must appeal to all the world, whether, in truth, that conclusion be not very apparent from the truth of their proceedings, and even to the conscience of these men themselves; whether, whilst we were amongst them, we enjoyed the liberty and freedom which was due to us; and whether, if there were no danger or breach of duty in being willingly and constantly present where actions of treason are plotted and concluded, we could now be with them without engaging ourselves in that Covenant; which, as it takes away all freedom

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and liberty of council, so cannot be taken without the violation of our duty and allegiance.—For the deserting the great trust reposed in us, we cannot with the least colour be accused; we wish it had not been, or were not now broken on their parts; on ours we are sure it is not; except observation of our oaths, lawfully taken and enjoined, and submission to the known established laws of the land, the preservation of which is our greatest trust, be to desert the trust reposed in us: what they have done, who have broken through all these, and will not at last consent to the binding up the wounds they have made, we must leave to the world to judge.—In the mean time, since it is apparent they use their utmost endeavours to make Peace impossible, and (having enriched themselves by these public calamities, and impoverished their country by the transportation of the wealth thereof into foreign parts) have left themselves no other means to repay those vast sums they have extorted from the people upon that they call Public Faith, but out of the estates of those who have preserved their duty and loyalty entire; and, at the price of their religion and laws, intend to establish a government and empire to themselves; all good men who desire Peace will join with us in the suppressing these enemies of Peace, and, by a resolute and unanimous Declaration of themselves, rise as one man in the assistance of his majesty, with their persons and their fortunes, which is the only means, with God's blessing, to restore and preserve the religion, laws, and liberties of the kingdom, and the very being of parliaments; the which, if these men have any mind to do (it being not so easily to be done any other way) they will at last be willing that all the members of both houses may meet in a full and free Convention of Parliament, which we have always desired, and shall be always ready to do."

This Declaration of the Lords and Commons in Parliament assembled at Oxford, was ordered, by the King, to be read in every church and chapel throughout England and Wales.

The Petition of the Lords and Commons at Oxford to the King, the day before their Recess.] Next follows the Petition of the Lords and Commons at Oxford to the King, the day before their Recess:

To the King's most Excellent Majesty: The Humble PETITION of the Lords and Commons of Parliament, assembled at Oxford according to your Majesty's Proclamation.

"We most humbly acknowledge your princely goodness in calling us to receive our advice for preservation of the religion, laws, and safety of the kingdom, and to restore it to its former peace and security: how earnestly we have sought a Peace with your majesty's most gracious concurrence, doth appear by the printed Declaration of our proceedings touching a Treaty for Peace; wherein we aimed at a free and full Convention of Parliament, as the most hopeful way to unite these unhappy divisions; and since that hath been refused, we have applied our advice for supporting your armies, the visible means now left for maintaining our religion, restoring the laws, and procuring the safety of the kingdom; being assured from your majesty, you do and will employ your armies to no other end.—And although ourselves are most fully satisfied of your majesty's pious and just resolutions herein; yet, because Fears and Jealousies have been and are maliciously scattered amongst your subjects, to poison their affections and corrupt their loyalty to your majesty; therefore, to the end that we may be enabled by your gracious Answer to satisfy all the world, or to leave them inexcusable who will not be satisfied, we do, in all humility, present to your majesty these Petitions: That your majesty will give direction for the reprinting your Protestation, made in the head of your army,* and your other Declarations; wherein your constant resolution is declared to maintain and defend the true reformed protestant religion; and that the same may be with more diligence published amongst the people; that so your princely Christian zeal and affection to that religion, and to maintain the same against all popery, schism, and profaneness, may be manifested; and which we beseech your majesty, upon this our Petition, to declare again to all the world, to the discountenance and suppression of those scandals laid upon your majesty, by those who disturb our peace.—That when there may be a free and full Convention of Parliament, a national synod may be lawfully called to advise of some fit means for the establishing the government and peace of our church, to whom may be recommended a care for the ease of the tender consciences of your protestant subjects.—Touching our laws; we cannot ask more of your majesty, than to declare and continue your former resolutions, to hold and keep them inviolable and unalterable, but by act of parliament. And for avoiding the scandal maliciously infused into many of your subjects, 'That if your majesty 'prevail against this Rebellion, you intend not 'to use the frequent counsel of parliaments,' we humbly pray and advise your majesty to declare the sincerity of your royal heart therein, to satisfy your seduced subjects against such false and malicious aspersions.—And, in respect the present Contributions, Loans, Taxes, and other Impositions for maintenance of your armies, have been submitted unto as exigences of war and necessity, because of this unexampled rebellion and invasion; we humbly beseech your majesty to declare, That they shall not be drawn into example, nor continue longer than the present exigence and necessity, nor be at any time mentioned as precedents: and that, for the farther security of your people, your majesty will vouchsafe to promise your royal assent to a law, to be made and declared

* The King's Protestation, made at Wellington, in Shropshire. See vol. ii. p. 1472.

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to that purpose, in a full and free Convention of parliament.—And that for the present ease and encouragement of those under contributions, by contract with your majesty, you will be pleased, that those contracts may be so observed, that your subjects may not have just cause of complaint against the commanders, governors, officers, or soldiers of your army; or of or in any your garrisons, castles, or forts, for taking any money, horses or other cattle, provisions or other goods, or any timber or woods of any your subjects; or free-billet, or free-quarter in any place, where the contributions and taxes agreed on are paid; humbly beseeching your majesty's gracious care herein, and that the offenders may receive exemplary punishment. Lastly, That your majesty will retain your pious endeavours to procure the peace of this languishing kingdom, not to be removed or altered by any advantages or prosperous success."

His MAJESTY'S Most Gracious ANSWER.

"As we shall always acknowledge the great comfort and assistance we have received by your counsels, since your meeting here according to our Proclamation; so we must give you very particular thanks for the expressions you have made, in this Petition, of your confidence in us, and for the care you have therein taken, that all our good subjects may receive ample satisfaction in those things upon which the good and welfare of their condition so much depends. We have long observed (though not without wonder) the sly, subtle, and groundless insinuation, infused and dispersed amongst our people by the disturbers of the public peace, of our favouring and countenancing of popery; and therefore, as in our constant visible practice we have, to the utmost of our power, and we hope sufficiently, manifested the gross falsehood of those imputations and scandals; so we have omitted no opportunity of publishing to all the world the clear intentions and resolutions of our soul in that point. We wish from our heart, that the true Reformed Protestant Religion may not receive greater blemish by the actions and practice of these men, than it doth, or shall, by any connivance of ours. We will take the best care we can, and we desire your assistance in it, to publish to all our good subjects that our Protestation and those Declarations you mention; and we do assure you, there is not an expression in either of them, for the maintenance and advancement of our religion, with which our heart doth not fully concur; and in which we shall be so constant, that, if it shall not please God to enable us by force to defend it, we shall shew our affection and love to it, by dying for it. We may, without vanity, say it hath pleased God to enlighten our understanding to discern the clear truth of the Protestant Religion, in which we have been born and bred, from the mists and clouds of Popery; the which (if it hath made any growth or progress of late within the kingdom, as we hope it hath not) is more beholden to the unchristian rage and fury of these men, than to any connivance or favour of ours.—For a National Synod; we have often promised it, and when God shall give so much peace and quiet to this kingdom, that regular and lawful conventions may be esteemed, shall gladly perform that promise, as the best means to re-establish our religion, and make up those breaches which are made; and we shall then willingly recommend unto them a special care of the ease of the tender consciences of our protestant subjects, as we have often expressed.—For the Laws of the Land; we can say no more than we have said in that Protestation you mention; and we thank you for being satisfied with it: in which God knows our resolution to be so firm and stedfast, that we will give any security under heaven for the observation of it. And as our greatest desire at this present is to meet in a full and free convention of parliament, which we are confident would quickly put an end to all these troubles; so when it shall please God to restore that blessing to us, we shall value and esteem that council, and frequently consult with it, and be advised by it, as the best means to make both king and people truly happy; and we shall then, by an act given, wipe out the footsteps of those extraordinary supplies, which nothing but this real visible necessity, which oppresses us all, could have compelled us to make use of; and which shall never be mentioned or remembered by us, to the least prejudice of your rights and liberties. And in the mean time we shall leave nothing undone, for the observation of particular contracts, and prevention of the disorder and licence of the soldiers, which is in our power to do; no particular person enduring half that sadness of heart for those breaches and pressures, which we ourself do; for the prevention and suppression whereof, we shall proceed with all rigour and severity.—Lastly, As the support and maintenance of the Religion, Laws, and Privileges of Parliament, is, as you well know, the only argument of our defensive arms; so, these being secured, we shall, with all imaginable joy lay down those arms; and as you have been our witnesses and our assistants in our earnest desires of Peace, so we promise you, we shall not only with the same earnestness always embrace it, if it shall be offered, but pursue and press it, upon the least likelihood of opportunity; and this our resolution, by God's blessing, shall never be altered by any advantages or prosperous success."

The KING'S SPEECH to the LORDS and COMMONS of Parliament assembled at Oxford, delivered at their Recess, April 16, 1644.

"My lords and gentlemen; I am now brought to you by yourselves; for I should not so soon have parted with you, if you had not desired it; and I believe that the same zeal and affection to me and your country, which hath brought and staid you here, hath caused you to seek this recess; that so, by distributing yourselves into your several countries, we may all

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the better reap the fruits of our consultations; wherefore, in God's name, dispose of yourselves as you think fit. I heartily thank you for what you have done, and fully approve of what you desire. I think most, if not all of you are engaged in my service, either in a civil or a martial way: To you that have charge in my armies I recommend the diligent attendance on your commands; that so, by your good example and discipline, you may suppress that licence and disorder which will discredit, and may destroy the best cause. And to you who are engaged in the civil affairs, I must recommend these few particulars; That you expedite those Supplies of Monies, which by your advice, I have sent for, whether by subscription or excise, remembring that monies are the nerves of war. Likewise that you use your best diligence for the impressing of men, and encouragement of volunteers; by shewing them, that now the only way to preserve themselves from slavery, and their country from ruin, is freely to engage their Persons.—But chiefly, and with all possible care, to inform all my subjects of the barbarity and odiousness of this Rebellion; how solicitous I have been for Peace, and how insolently and scornfully it has been rejected; assuring them, that my armies are raised and kept only for the defence of their Religion, Laws, and Liberties, which being once secured and vindicated, I shall most chearfully lay them down; I having, God knows, with much unwillingness taken them up.—Lastly, assure them, That these extraordinary ways, which necessity hath produced, and most of them not without your consent or advice, for my Supply, shall not hereafter be brought in example to their prejudice; and I shall, in the mean time, do my best to prevent and punish all exorbitances and disorders.—To conclude: my lords and gentlemen, I do now again, yet never enough, thank you for your great and unanimous expressions of your affections to me, which hath laid an inexpressible obligation upon me: and be assured, that there is no profession, which I have made for the defence and maintenance of our religion, laws, and liberties, which I will not inviolably observe. Now God, who hath blessed this meeting with an unexpected unanimity, (which I esteem as one not of his least blessings) will, I hope, bring us all safe together again the 8th day of October next. In the mean time I shall be ready to receive any thing from your committees, that shall be desired."

Thus much for the proceedings of the Convention at Oxford. We shall now return to the Parliament at Westminster.

Ordinance for appointing a Committee of both Houses, to join with the Scots Commissioners, for better managing the Common Cause.] We have already mentioned, that, in the beginning of February, both houses were busy in settling affairs between a Committee of their's and the Scots Commissioners lately sent to them. It took up many days, to regulate this business: at last an Ordinance was finally agreed on, Feb. 16. which runs thus:

"Whereas by the Covenant and Treaty ratified and established between the two kingdoms of England and Scotland, both nations are engaged in one Common Cause against the enemies of their religion and liberties; and by the late entrance of the Scots forces into this kingdom, in pursuance hereof, are firmly united in a joint posture of arms, for their own necessary defence, and for the attaining the ends expressed in the Covenant and Treaty:—And whereas both kingdoms have thought it necessary that they should be joined in their councils as well as in their forces, and in pursuance thereof the Convention of the Estates in Scotland have appointed Committees residing in Scotland and in the Scots army, and have sent some of the said committees as commissioners for the purposes aforesaid, to repair unto, and to reside near, the parliament; who, since their arrival, have presented their commission and powers, with their earnest desire that the parliament would lay down some speedy and constant way of communicating the desires, and joining the councils of both kingdoms in pursuance of the Covenant, Treaty, and common interests of his majesty's dominions:—In consideration hereof the lords and commons do nominate, ordain, and appoint Algernon earl of Northumberland, Robert e. of Essex lord-general, Robert e. of Warwick lord-admiral, Edward e. of Manchester, William viscount Say and Sele, Philip lord Wharton, John lord Roberts, hon. Wm. Pierpoint, sir H. Vane, sen. sir P. Stapylton, sir Wm. Waller, sir Gilbert Gerrard, sir Wm. Armyn, sir A. Haslerig, sir H. Vane, jun. John Crew, Rob. Wallop, esqrs. Oliver St John, esq. solicitor-general, OLIVER CROMWELL, Samuel Brown, and John Glynn, esqrs. or any six of them, whereof one lord and two commoners, to treat with the committees and commissioners appointed by our brethren of Scotland, in such things as shall by them be propounded, from and in the name of the kingdom of Scotland, for the ends aforesaid; as likewise to propound to the committees and commissioners of Scotland, whatever they shall receive in charge from both houses; and from time to time to advise and consult concerning the same, and report the results to both houses.—And further power and authority is hereby given to them or any six of them, whereof one lord and two commoners, as a joint committee with the committees and commissioners of Scotland, to advise, consult, order, and direct, concerning the carrying on and managing of the war for the best advantage of the three kingdoms, and the keeping a good intelligence between the three kingdoms, their forces, committees, and councils; and likewise with power to hold good correspondency and intelligence with foreign states; and further to advise and consult of all things in pursuance of the ends expressed in the Covenant and Treaty. Provided always, That nothing in this Ordinance shall authorize the committee hereby appointed to advise, treat, or consult concern-

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ing any Cessation of Arms, or making Peace, without express directions from both houses of parliament. And, lastly, the said committee are to observe such orders and directions as they, from time to time, shall receive from both houses. Provided also, That this Ordinance shall continue for three months and no longer."

The Lords reject an Oath of Secrecy, proposed by the Commons to be taken by the Joint Commissioners.] Soon after this the commons sent up the form of an Oath for Secrecy, to be taken by these joint commissioners; which, upon consideration, was rejected by the lords, and that for these Reasons: 1. "The members of both houses, named for the committee, are of such unquestionable integrity, as there can be no doubt of their discharge of the duty intrusted to them by the Ordinance, without any Oath to bind them to secrecy therein. 2. That the members of both houses have an equal liberty to offer their reasons in all debates at their committees, though the vote be only theirs that are appointed thereto. 3. This Oath doth deprive the house of peers of a power to call for an account of their own members in the service intrusted with them by the Ordinance, without the consent of the house of commons. 4. That this Oath is inconsistent with the privilege of parliament, as debarring the members of both houses from coming to the knowledge of those things that concern the safety of the kingdom; and more especially to be insisted on in these times, when the counsel and advice of the parliament is so necessary upon all occurrences, to prevent the mischiefs that threaten us on all sides, every particular man's fortune being now all at stake; and therefore no reason the peers, who are in so high a manner engaged and concerned both for themselves and posterity, should preclude themselves from all knowledge of the condition of the affairs of the kingdom, but must be implicity led by the conduct of a few chosen for this service. 5. That it is derogatory to the honour of parliament, being never used before, and of ill consequence to future times; when the parliament, the great council of the kingdom, chosen and intrusted to debate de arduis regni, carries with it the dignity of being composed of persons qualified for that purpose with secrecy and fidelity; that now, in distrust of that body, as unfit for the work to which it is called, some very few must be chosen to be engaged and bound up by an Oath of Secrecy thereunto."

March 5. The lord-general acquainted the lords, That a trumpeter brought him a Letter from the earl of Forth, in which was inclosed another signed Charles R. directed to the lords and commons of parliament assembled at Westminster: and because this was an unusual direction to the parliament, the house ordered to send to the commons to desire that the former committee appointed to open letters might meet presently, and consider what was to be done about it. The result of which was, That the king's Letter was read the next day in the house of lords, with the opinion of the committees of both houses, and that of the Scots committee, concerning it; on the basis of all which was framed the Answer already given in the former proceedings of the Convention at Oxford, (p. 221). Great care was also taken, that no copies of this Answer should be given, nor any mention made of it without doors, until they were sure it was come to the king's hands.

Mr. Whitlocke's Speech in favour of Propositions for Peace.] March 15. A Treaty of Peace being spoke of in the house of commons, some of the members seemed averse to any Propositions at all; others differing from the manner proposed, at the same time, by the lords for that purpose:

Mr. *Whitlocke* tells us, that one, meaning himself, spoke to this effect: "Mr. Speaker; It would be no wonder to see an unanimous concurrence of the whole house in furthering Propositions for a good peace. The calamities of our distractions have brought us to it; and who is there amongst us that hath not, in some measure, felt the strokes of them; I am sure, sir, I have smarted by them. We may say here, but, I hope, never with the like application, what Tacitus said of the Romans, Omnia discordiis civilibus fessa. The land is weary of our discords, being thereby polluted with our blood. God hath given you great successes in many places against our enemies, and sometimes he is pleased to give our enemies successes against us; in all of them, whether of the one or the other party, the poor English are still sufferers. Whose goods, I pray, sir, are plundered? Whose houses are burnt? Whose limbs are cut off or shot off? Whose persons are thrown into loathsome dungeons? Whose blood stains the walls of our towns, and defiles our land? Is it not all English? And is it not then time for us who are all Englishmen, to be weary of these discords, and to use our utmost endeavours to put an end to them? I know, sir, you are all here of the same opinion with me in this point; and that it was an unhappy mistake of those who told us, in the beginning of our warfare, 'That it would be only to shew ourselves in the field with a few forces, and then all would be presently ended.' We have found it otherwise; let us now again seek to recover these blessings of Peace, whereof we are told, that 'nihil tam populare quam Pax,' That nothing is than Peace more gracious to be heard of, more pleasing to be desired, and more profitable to be enjoyed. I am sorry we have so much and so sad experience, as well as other arguments, to convince us of this truth. You think it best to refer it to the committee of both kingdoms, and you cannot find more able and faithful men to trust in this business. The lords think fit that another committee be named, to whom this may be referred. Whilst we differ upon the committee, we lose the business, and do not pursue Peace. I am persuaded, sir, you can hardly name a committee,

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either within or without these walls, but would be ready to take pains to effect this good work. Unless it were those who have said, 'That if 'this war be well managed it may last 20 years:' but those were not Englishmen. And although we have Irish, French, Dutch, and Walloons, as well as other Papists, engaged for the settlement of the Protestant religion and laws of England, yet I am persuaded that his majesty and you mutually endeavouring, as it is both your interests, none can hinder it. It is true, That these foreigners help to open the veins wider, but a Peace will rid us of them, and stop the issue of blood; but if it bleed on still, we must faint, and perhaps become a prey to foreigners.—Sir, I humbly move that we may endeavour, without more loss of time, to satisfy the lords with reasons, that it is fittest to have this matter referred to the committee of both kingdoms. Yet, if their lordships shall not be satisfied herein, let us consent to name another committee, rather than to suffer so desirable a business to be protracted. Let us consent to any thing that is just, reasonable, and honourable, rather than in the least to neglect to seek Peace, and to ensue it."

The weight of these and similar arguments, turned the scale; for the peaceable side prevailed so much, that the house appointed a committee to draw up Propositions: and, at the same time, a Message was sent up, to desire a conference, touching the settling a just and safe Peace. The lords returned for Answer, That they would give a present conference in the Painted-Chamber. After which was ended, the Speaker of the house of lords reported the effect of it:—"That Mr. Tate, a member of the commons, delivered a Declaration and Vote, to which they desired the lords concurrence: 'That whereas there had been many endeavours from Oxford, by Declarations, Messages, and otherwise, to raise a belief in the people, and in foreign parts, that they were inclined to Peace, and the parliament averse to it: notwithstanding the several means and addresses to the parliament, for that purpose, had been such as in the end proved clearly to hinder and obstruct it: the house of commons taking this into consideration, and that the parliament had always endeavoured to gain a firm and just Peace; they do now think fit, of themselves, further to prosecute the same; finding the commissioners of Scotland have instructions to join with them, to consider and prepare such grounds, as, by mutual advice and consent of both kingdoms, may bring all his majesty's dominions to a happy and safe Peace: for which purpose they had passed this vote: That it be referred to the committee of both kingdoms, to consider of and prepare such grounds, for settling a just and safe Peace, as both kingdoms might consent unto and prosecute, and to present them to both houses. Likewise, That they had referred it to the committee of both kingdoms, that so the advice and counsel of the commissioners of Scotland might be had therein."—After the reading of this Vote, the lords fell into a debate about it; and after some time, the Vote being again read, on the question, it passed in the negative; and the house appointed a committee of 9 lords to draw up Reasons why this house doth not agree with the commons in this Vote: as also to consider of and prepare some grounds for settling a just and safe Peace, and to advise with the commissioners of Scotland about the same.

The Dutch Ambassadors offer their Mediation.] March 20. Before these Reasons to satisfy the commons, about rejecting their last Vote, were delivered, the lords received a Paper which came from the States Ambassadors, which was read, in hæc verba:

To Monsieur the Baron GREY of Warke, Speaker, to be communicated to the Lords of the Parliament, this 14th of March, 1643.

"Sir, It is almost two years since our lords, the States General of the United Provinces of the Low Countries, having, with much displeasure, understood the distractions of these kingdoms, had ordained us, their Ambassadors, to go and present their interposition; thereby if it could be done, to mediate an accommodation betwixt the king and his parliament. The hopes that our lords conceived that these affairs might, of themselves, turn from ill to better, made them to delay our sending; but fearing the mischance should here come to a full measure and burst out into an open war, our said lords have been induced to return to their former care; and have sent us, presently, into this kingdom to propound an Accommodation, and to add to the same our interposition.—The king hath so much yielded to our offer, that his majesty hath declared he liked well of our interposition, and accepted the same and an overture of a Treaty; and we do not doubt (if the thrice honourable and noble lords of the parliament, for reasons that concern the conservation of the true religion, the good of the king and these kingdoms, and of so many millions of people, which, otherways, are or shall be exposed to all hazards of a certain ruin, do condescend to a conference and treaty of Peace, to which we will present our interposition and mediation, if it should be liked) but that the God of peace and concord will, within a little while, grant a good and happy issue to these bloody troubles and miseries. Which to attain we will not spare our sincere and most affectionate endeavours according to our Instructions, and such as may be expected from a state in friendship, and from those who, in the common profession of the true religion, and in interests being so nearly joined, will esteem both the good and evil of this state to be unto us the most sensible and inseparable."

This Paper being read, it was referred to the consideration of the committee of both kingdoms, it being a thing of great importance; as, also, to the committee of 9 lords lately appointed. The same day the aforesaid committee presented to the house the Reasons to

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be offered to the commons, why they dissented from their last Vote about Peace; which were read and approved of.

The King brings over Troops from Ireland.] The war had been carried on, all this last winter, with various success on both sides; towns, castles, garrisons, and fortified places, had been taken and retaken in all parts of the kingdom; and, as related by Whitlocke and other Annalists of these times, rather to the advantage of the parliament. The Scots army had advanced so far as to possess themselves of Durham and Sunderland, and to lay siege to Newcastle; against whom the marquis of Newcastle had marched, from York, with all the Northern forces in the king's service. His majesty, in order to stem this tide, and to make a diversion to the Scots, had called in an army of Irish soldiers, and ordered some of those forces to land in the West of Scotland. These the parliament soon branded with the names of Irish rebels, papists, and cut-throats; and indeed they were never of any great service to the king's cause, being, as Whitlocke writes, "all cut off, some in one place and some in another; and the bringing them over gave his enemies a stronger handle against him."

Ordinance for Fasting one Day a Week, towards supporting the Army.] March 26. In order to provide the better for the necessary armaments, a very uncommon tax was thought on; which was, the contribution of one Meal a Week, within the cities of London and Westminster, and the lines of communication. And a long Ordinance was passed, this day, for that purpose; whereby each housekeeper and his family were obliged to fast once a Week, and pay what he usually spent at such a meal, for the public service.

March 29. The dispute still continued between the two houses, concerning the last Votes about Peace. In one of these days debates, in the house of commons, concerning these Disputes, a short question was put, 'Whether this house should concur with the lords, in nominating a committee to join with one of Nine, by them named to consider of the Papers from the Dutch Ambassadors, &c.' The numbers, on a division, were equal, being 64 for, and 64 against it; but the Speaker, having the casting voice, gave it for the negative. This was the largest division we have observed for a long time.

A Victory gained by sir Wm. Waller near Winchester.] April 1. This day an account was received of a victory which sir Wm. Waller had obtained over the king's forces, near Winchester. On which the lords and commons immediately ordered a day of thanksgiving unto the Lord of Hosts that giveth all victory, for his seasonable and extraordinary blessing, whereby the army, under the command of sir Ralph Hopton, was totally routed, with the loss of very few of the parliament's forces.

The Earl of Essex's Remonstrance, setting forth the Necessities of his Army.] April 8. The earl of Essex presented to the lords the following Remonstrance:

"My lords; Upon the victory God hath been pleased to give us against sir Ralph Hopton, and the sense I have of my condition, (being general by your favour) that I am not able to prosecute this victory; and that now the speech is general of his majesty's taking the field; and, by reason of the condition which the long delay of recruiting my army and ill payment have brought me to, I am grown the pity of my friends and contempt of my enemies, having as yet no forces to take the field with, I am enforced to make this following Declaration:—That it grieves me exceedingly to see so fair an opportunity lost of prosecuting the advantage which, by God's goodness, we have gotten upon the enemy at this time, because the army is not recruited; so as I am altogether disenabled to move, but must sit still and see this opportunity pass from me, I verily believe, of ending the bleeding miseries of this destructive war; whereas now the enemy will have time to recover and repair themselves before I can get into a condition to advance towards them.—I am the more sensible of it, because some may perhaps hereafter be apt enough to lay a blame upon me, if I be not so soon ready to take the field, in regard that now the house of commons hath been pleased to refer unto me the perfecting of the list of the officers; so as it can stick no more any where else, but the recruiting may go on as I think good without any stop or delay.—My lords, my honour calls so fast upon me, that I will not lose a moment of time to expedite the service; but I must beseech you give me leave to take notice of the lateness of this liberty which is herein given me, both in point of time and occasion.—First, for the Time; it was 6 or 7 months after the Ordinance for the recruiting and reforming my Army had been in agitation; the Ordinances for the major-generals of the several associations being all past, which received their beginnings long after mine. And the Occasion is so far lost, that, whereas the army should have been long ago in action, the spring is even past, and no army yet in being; whereby many fair opportunities are slipt of doing service, or at least preventing mischiefs, and we have received that unhappy blow before Newark.—I will be bold to say, if I had an army the enemy durst not have emptied all their quarters here to have sent such forces thither; so as that mischief had been prevented, and Newark might now have been ours; which would have cut off all correspondency and intercourse between Oxford and my lord of Newcastle, and the Scots army would have found the fruits of it. Nor had we set all at stake, and played our rest so lately; for had sir Wm. Balfour and sir Wm. Waller been beaten, what reserve had we to oppose the fury of a conquering enemy? What interposition between the devouring sword and the parliament and city; nay, the being of religion and all the happiness both of present and

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future times? Truly I tremble to think how near we were to the very precipiece of destruction; and you must pardon my expressions; I speak it not with the least reflection upon the proceedings of either house; I reverence them, I submit unto them but the duty of my place, and of that trust you have reposed in me, require it at my hands. You see what our weakness is, it hath given occasion to the enemy to enlarge his quarters, watch his advantages, scour from the West to North, cross all our enterprizes; Newark is taken, Lincolnshire is lost, Gloucester is unsupplied; and the last week there was but a step between us and death, or, what is worse, slavery?—And I observe the seas have been, and still are, open to them out of Ireland as they please; and I fear we shall have all the bloody rebels come to exercise their barbarous, and heretofore unheard-of, cruelties in this miserable kingdom. My lord admiral is best able to discover where the fault hath been; the houses are the only judges from whence come all these obstructions by sea and land.—For my part, I first engaged myself in this cause, and undertook this service, with an honest and single heart, without any particular end of my own, but merely to serve my country, and defend religion and liberty; in which cause both houses of parliament, and the good party of the whole kingdom, have solemnly protested to live and die with me, which have kept up my spirits all this while, and would not suffer me to lay down my commission, notwithstanding all my discouragements: as I am not conscious to myself of giving the least offence to any, unless it were for executing my place as general, in that which my conscience told me was my duty; so shall I be ready still to prosecute it with the utmost of my endeavours, and desire no longer to live than I shall be faithful in it. And though you have been pleased to reduce my army to 7500 foot and 3000 horse, when my lord of Manchester is allowed an army of 14,000, and receives 34,000*l.* a month for the pay of it; yet, since it is done by you, I submit; and with them, or a lesser number, if it be your pleasure, I will, as I have several times already, adventure my life for the service of this cause.—And, therefore, have I at present opened myself in this manner unto your lordships, desiring something may be done to make use of this prize which God hath put into our hands, that it be not altogether made fruitless unto us; and the best way, I think, will be to acquaint the city of London with it; (which, under God, hath had so great a share in the preservation of this parliament, hath so gallantly stood by us in all our difficulties, and so cordially and freely exposed itself for the advancement of all good and honourable designs in promoting of the public service) and desire them to be helpful unto me in the speedy recruiting of my army.—And, haply, if now they would be persuaded to send out a considerable force, to join with all such as we shall draw forth out of the South parts of the kingdom, before the enemy can rally, we might, through God's blessing, so well husband the present occasion, as might give us fair hopes to set an end to all our sufferings, and see our endeavours crowned with a happy and a glorious Peace. I confess I cannot tell how to desire this of them with such importunities as otherwise I would, because they have done so much already in this kind, and have so often testified their affections both to the cause and to myself in particular, with great expence both of their treasure and blood; but if they will do it, I shall most chearfully engage myself, my life and fortune with them; and to this end I desire a committee of this house, if your lordships please, which, with such as the house of commons shall thing fit to join with them, may go into the city to move them to this purpose."

After the reading of this Remonstrance, the lords thought fit to name a committee of that house, to join with one from the commons, to go to the city, and desire their best assistance in recruiting the lord-general's Army speedily; and to send out some forces before the king's army grew stronger.

Answer to the Dutch Ambassadors Offer of Mediation.] This day also the lord-general informed the lords, That the States Ambassadors were yesterday with him, and expressed how long they had been here, and received no Answer yet to their Paper which they had delivered to parliament: That they further desired a pass from him to go to Oxford, to take their leave of the king, that so they might go into their own country; but that he had forborne giving them a pass until he had acquainted the house with it. Upon this, the lords sent immediately to desire a conference with the other house about it, the report of which was, "That the commons had considered of an Answer to them, and desired their lordships concurrence in it. This was read and agreed to in these words: "That the lords and commons will always, with due respect, acknowledge such good affections, as from the lords the States General of the United Provinces of the Low Countries, shall at any time be expressed to the king and this kingdom: professing they desire nothing more than such a Peace as may as well procure honour and happiness to the king, as the preservation of the true reformed religion, the privileges of parliament, and the liberties of his subjects in his majesty's three kingdom, according to their late Solemn League and Covenant: and when they shall, from and in the name of the said lords, the States General, propose any thing to the lords and commons in parliament, they will do thereupon what shall be fit."

The Scots Commissioners delivered in a Remonstrance, requiring a speedy supply of Money to support their Army in Ireland; with sad complaints of their miseries for want of it; and, in some measure, threatening worse consequences than advancing of monies, unless, as they said, timously prevented.

A Committee of both Houses go to the City,

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to solicit a Supply for the Army.] April 9. This being the day appointed for a general Thanksgiving for the late victory, the same was held with the usual solemnity of the times. Towards the evening a Common Hall was held in the city, to which repaired several lords and commoners. The earls of Warwick, Essex, and Pembroke, together with sir H. Vane, Mr. Denzil Hollis, and Mr. Glynne, in set speeches, related the circumstances of the above-mentioned victory to the citizens, in order to encourage them to do their utmost, at this critical conjuncture.

Resolutions for Supplies to be raised for the Scots Army in England and Ireland.] April 12. The Speaker of the house of lords reported the effect of a conference; which, with the subsequent Resolutions, we give from their Journals:—"That the house of commons having received intelligence of the great wants of the Scots Army in Ireland, whereby three regiments have been enforced to come away: Upon this the commons referred the consideration of the same to the committee of both kingdoms; who, having considered thereof, made the report of their opinion to that house, who do now communicate the same to their lordships, and desire their speedy concurrence therein. The Votes of the commons were read as follows: 1. Resolved, upon the question, "That effectual course be taken for the due and speedy collection of the sequestrations appointed by both houses for the payment of the 60,000*l.* to the Scots Army in Ireland; and that this be recommended, in an especial manner, to the committee for taking the Accounts of the kingdom. 2. That, to enable the speedy raising of a considerable sum of money for the supply of the Scots Army in England and Ireland, an Ordinance be passed by both houses to the same effect as formerly, to levy, by way of assessment, 66,666*l.* 13*s.* 4*d.* being a third part of the 200,000*l.* appointed by both houses for the purposes aforesaid to our Brethren of Scotland, for which the public faith of both kingdoms is engaged. 3. That, as another means for the raising of monies for the affairs of Ireland, the bill presented by both houses to his majesty, for compelling the Adventurers to pay the monies due by their subscription upon the acts of parliament for that purpose, be turned into an Ordinance of parliament. 4. That, out of the Ways and Means abovementioned, or otherwise, or by the credit thereof, the sum of 30,000*l.* by the 15th of May next coming, be shipped from hence for Carrickfergus, upon which the said Army may depend; and that the remainder of the said 60,000*l.* be shipped away by the last of June next: and it is referred to the committee at Goldsmiths-hall to consider of the means of raising these monies, and to offer to the house the probablest way of bringing them in; and to take care, with the treasurers of the sequestrations, that the Sequestration Monies may not be diverted to any other use, upon any other pretence whatsoever. 5. That for the future maintenance of the Scots and British forces in Ireland, a settled course be established by Ordinance of parliament, or otherwise, towards the monthly pay of the Scots forces the sum of 4000*l.* and also of 4000*l.* monthly to be paid to the British forces; which sums of money to be paid to the British and Scots forces, shall be paid to the hands of treasurers nominated for that purpose by the joint advice of both kingdoms, or their committees authorized in that behalf, and to be issued forth according to their advice; and that the surplusage due to the said Scots forces, according to the Treaty, over and above the said 4000*l.* monthly provided, shall be secured to them upon the public faith: that whatever provisions of victuals or monies shall be raised or collected within the States of the United Provinces, by way of Benevolence, or otherwise, for the relief or maintenance of the said British and Scots forces, may be consigned to persons nominated for that purpose by the joint advice of both kingdoms, or their committees authorized in that behalf, and to be issued forth according to the instructions that shall be given by their advice. 6. That the earl of Leven, lord-general of the Scots forces in Ireland (being now, by the Votes of both houses, agreed to be Commander in Chief over all the forces, as well British as Scots, according to the 4th article of the Result of the committees of both kingdoms, passed both houses) be desired, with all convenient speed, by advice of the said committees, to appoint and nominate a commander in chief under his excellency over the said forces, to reside with them upon the place. 7. That committees be nominated and appointed, by the joint advice of both kingdoms, of such numbers and quality as shall be by them agreed on, to be sent with all convenient speed to reside with the said forces, and enabled with full and ample instructions, by the joint advice of both kingdoms, for the regulation of the said forces, and the better carrying on of that war. 8. That when the houses shall understand, from the committees that shall be sent into Ireland by advice of both kingdoms, the state of the forces there, they will then take into consideration the augmentation of the sums for the monthly pay, as occasion shall be, and as the necessities of this kingdom will permit." These Resolutions were agreed to by the lords.

The Ordinance for Peace, at last, agreed to.] April 16. The commons at a conference proposed to the lords some Alterations they had made in the Ordinance for Peace; which, being read, were agreed to by them, and then the Ordinance was to this effect:

"Be it ordained by the lords and commons, assembled in parliament, That the committee of both houses, as a joint committee with the commissioners and committee of Scotland, be hereby enabled to prepare Propositions for a safe and well-grounded Peace: the same to be presented to both houses of parliament, and to the Convention of the States of Scotland, or their committee: and are to be brought into

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one or both houses on Friday come sevennight, the 26th of April, 1644, or sooner if it may be, sitting the houses; to be there reviewed and considered of; and then, by the mutual advice and consent of both kingdoms, to be perfected. Provided always, That the power given unto the said committee by this Ordinance, shall continue no longer than during the time herein limited for bringing in the said Propositions." To this the lords added, "That the said committee should sit but 3 days in the week, for their better attendance on other public business."

April 17. A Letter from sir Thomas Fairfax, in the North, was read in the house of lords, concerning a great Victory he had gained over the king's forces at Selby. Amongst the prisoners taken at this battle, were colonel John Bellasis, governor of York, and sir John Ramsden. These two gentlemen, being members of the house of commons, were sent up prisoners to London, and were afterwards ordered to be brought to the bar of that house. On their appearance the Speaker harangued them on the horror and grievousness of their offence; which, he said, "was no less than, at one blow, to endeavour the ruin of religion, the liberty, privileges, and the very being of parliaments, and to introduce popery and slavery; the consideration whereof should strike terror and amazement into them." He added, "That, for these grievous crimes of high treason, they were, by the judgment of that house, committed, as traitors, to the Tower, there to remain during pleasure." This stood as a precedent for every member taken prisoner afterwards.

The King's Proclamation for bringing in Provisions for his Garrison at Oxford.] April 22. About this time the king published a Proclamation, for the better Maintenance of his Garrison at Oxford; which being read this day, in the house of lords, the parliament passed the following censure upon it: they were as follows; but first the Proclamation.

"Whereas, by our Proclamation of the 29th of March now last past, we invited our loving subjects of Oxford and Berks, and other counties adjacent, who are owners of corn and grain and other victuals, in a greater proportion than is necessary for their own private families, that, for their own benefit, to secure the same against the sudden incursion and violence of the rebels, and for the better furnishing our Garrison at Oxford against a time of need, they should speedily bring the same into this city, and there store it up in such places as themselves should provide; or as we, in our care, by our commissioners, to whom they are to resort, have there provided for them; where the owners thereof, by themselves, or such as they shall nominate and trust, should keep the same; and from thence, as the true owners thereof, should issue the same, to furnish the markets from time to time for their best advantage.—Since which time we find that the inhabitants of these places, not being so sensible of their own good as we expected they would have been, have been very negligent in applying themselves to our desires; but do expose themselves, and that part of their estates, to that danger which may fall upon them we know not how soon: we therefore, by the advice of the lords and gentlemen, members of the two houses of parliament, now assembled at Oxford, do admonish all our loving subjects whom it may concern, that within 5 days now next ensuing, at the furthest, for such as live within 7 miles of this city; and, for such as dwell farther off, within 8 days after the date hereof; they bring, or cause to be brought, into this city of Oxford, all such corn of all sorts, ready thrashed or in the straw, and all such other victuals serving for the food of men or horse, which they can spare, here to be stored up by themselves, or sold at and for reasonable prices for ready money: and also that they bring in hither all such hay and straw as they have, and may spare, here to be sold to us and the nobility and gentry here residing, for ready money, at reasonable prices.—And we, by the advice aforesaid, do further let them know, and do hereby declare, That if they fail herein, upon what pretence soever, we shall esteem them as persons disaffected to us and to our service; and as the course of war and the necessity thereof requireth, upon the approach of the rebels, who are enemies to us and them, we must and will, by our own soldiers fetch so much thereof away as we can for the provision of our own army; and the rest consume and destroy by fire, rather than suffer the same to fall as a prey into their hands, who will thereby be the more enabled to annoy us, and our good subjects: of all which we expect a strict performance, and will require a severe account. And all horses, carts and carriages which are employed for this service, shall have free passage in their going and coming, and not be taken for any other service. Given at our Court at Oxford, April 15, 1644."

A Declaration of both Houses thereupon.] The Declaration of Censure passed by both Houses upon the above, was as follows:

A DECLARATION of the LORDS and COMMONS in Parliament, concerning his Majesty's late PROCLAMATION, and the Resolution of both Houses thereupon.

"The lords and commons, assembled in the parliament of England, do observe that the same counsels now predominate at Oxford, which have contrived and effected the destruction of Ireland by fire and sword, do farther labour to bring the like desolation upon this kingdom; and, in pursuance thereof, have dared to publish this unparalleled Paper, in the form of a Proclamation, threatening destruction by fire and sword, under the title of preserving the country: the lords and commons do thereupon declare, That they will use their hearty endeavours, with the hazard of their lives and fortunes, to prevent these miseries, whereof they are most sensible; and have taken order that considerable forces shall spee-

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dily advance for the defence and protection of the people, wherein they desire the assistance of their countrymen, and humbly pray to God for his blessing."

Propositions for Peace, as drawn up by the Committees of both Kingdoms.] Towards the latter end of this month the Commissioners of both kingdoms brought in a draught of their Propositions for Peace, which were read, and ordered to be debated by the lords at another time; viz.

PROPOSITIONS prepared by the Committees of both Kingdoms for a safe and well-grounded PEACE, to be presented to both Houses of the Parliament of England and the Convention of the Estates of Scotland, or their Committees, to be by them reviewed and considered, and then, by the mutual Advice and Consent of both Kingdoms, to be perfected.

"I. That, by an act of parliament in each kingdom respectively, all Oaths, Declarations, and Proclamations against both houses of the parliament of England, the late Convention of the Estates of Scotland, or their Ordinances and proceedings, or against any for adhering to them, be annulled, suppressed, and forbidden in all his majesty's dominions. II. That an act of parliament be passed in both kingdoms respectively, for enjoining the taking the Solemn League and Covenant by all the subjects of the three kingdoms; and the Ordinances concerning the manner of taking the same in both kingdoms be confirmed by acts of parliament respectively, with such penalties as, by the mutual advice of both kingdoms, shall be agreed upon. III. That a bill be passed for the utter Abolition of Episcopacy with such alterations concerning the estates of prelates, as, upon consideration of the Treaty and joint Declaration of both kingdoms, shall be found necessary. IV. That the Ordinance concerning the calling and sitting of the Assembly of Divines be confirmed by act of parliament. V. That Reformation of Religion, according to the Covenant, be settled by act of parliament, in such manner as both houses shall agree upon, after advice had from the Assembly of Divines: and forasmuch as both kingdoms are mutually obliged, by the same Covenant, to endeavour the nearest conjunction and uniformity in matters of Religion; that such unity and uniformity in religion, according to the Covenant, as, after consultation and advice had from the Divines of both kingdoms, now assembled, shall be jointly agreed upon by both houses of the parliament of England, and by the church and kingdom of Scotland, be confirmed by acts of parliament of both kingdoms. VI. That, for the more effectually disabling Jesuits, Priests, Papists, and Popish Recusants from disturbing the state and eluding the laws; and for the better discovering and speedy conviction of Recusants, an Oath be established by act of parliament, to be administered to them; wherein they shall abjure and renounce the Pope's supremacy, the doctrine of Transubstantiation, Purgatory, worshipping of the consecrated Host, Crucifixes, and Images; and their refusal of the said Oath, being tendered in such manner as shall be appointed by the said act, to be a sufficient conviction, in law, of recusancy. VII. That an act of parliament be passed, for the Education of the children of Papists, by Protestants, in the Protestant Religion. VIII. Another act, for the true levy of the penalties against them; which penalties to be levied and disposed in such manner as both houses shall agree on; wherein to be provided, that his majesty shall have no loss. IX. That an act be prepared, whereby the practices of Papists against the state may be prevented, and the laws against them duly executed; and a stricter course taken to prevent the saying or hearing of mass in the court, or any other part of this kingdom. X. The like for the kingdom of Scotland concerning the four last Propositions, in such manner as the estates of parliament there shall think fit. XI. That the king do give his assent to * Bills and Ordinances, and give assurance of his consenting, in the next parliament of Scotland, to an act ratifying the acts of the Convention of the States of Scotland, called by the Council and Conservators of Peace and assembled in June, 1643, and several times continued since, in such manner, and with such additions and alterations, as the estates convened in parliament shall think convenient. XII. That an act be passed in the parliament of both kingdoms respectively, for confirmation of the Treaties passed betwixt the two kingdoms, viz. the Large Treaty, the late Treaty for the coming of the Scots army into England and for settling the garrison of Berwick, and the Treaty concerning Ireland, with all other Ordinances and proceedings passed betwixt the two kingdoms, in pursuance of the said Treaty. XIII. That an act of parliament be passed, to make void the Cessation of Ireland, and all Treaties with the Rebels, without consent of both houses; and to settle the prosecution of the war of Ireland in both houses of parliament, to be managed by the joint advice of both kingdoms, according to the Ordinance of the 12th of April last; and the king to assist, and do no act to discountenance or molest them therein. XIV. That an act be passed in the parliaments of both kingdoms respectively, for establishing the joint Declaration of both kingdoms with the qualifications ensuing: 1. That the persons who shall expect no pardon be only these following † 2. All papists and popish recusants who have been, now are, or shall be, actually in arms against the parliament, or voluntarily assisting thereunto. 3. All persons who have had any hand in the plotting and designing the rebellion in Ire-

* To be left to the houses to name such Bills and Ordinances as they shall think fit.

† Here a Blank is left for the Names of persons to be excepted.

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land.. 4. All Irish rebels, whether papists or others, who have or shall come over from Ireland, and have assisted, or shall assist, in this war against both houses of parliament. 5. That ‡ may be removed from his majesty's councils, and may be restrained from coming within the verge of the court; and that they may not bear any office, or have any employment, concerning the state or common-wealth; and in case any of them shall offend herein, to be guilty of high treason, and incapable of any pardon by his majesty; and their estates to be disposed of as both houses of parliament in England, or the Estates of Parliament in Scotland, respectively, shall think fit. 6. What course shall be taken with such as not only have deserted the parliament, but have voted both kingdoms traitors. 7. The persons of all others to be free, notwithstanding any act or thing done in or concerning this war, they taking the Covenant. 8. The estates of the persons excepted to pay the public debts and damages. 9. The estates of prelates to be disposed according to the fifth article of the late Treaty of both kingdoms. 10. A third part, upon full value, of the estates of the persons made incapable as aforesaid, to be employed for the payment of the public debts and damages, according to the Declaration. 11. A tenth part of the estates of all other delinquents within the Declaration: and in case the estates and proportions aforementioned shall not suffice for the payment of the public engagements, whereunto they are only to be employed, that then a new proportion may be appointed by the joint advice of both kingdoms; provided it exceed not one moiety of the estates of the persons made incapable as aforesaid; and that it exceed not the sixth part of the estates of other delinquents. 12. That the persons and estates of all common soldiers and others, who, in lands and goods, be not worth 200*l.* be at liberty, and be discharged. 13. That an act be prepared, whereby the debts of the kingdom, the persons of delinquents, and the value of their estates may be known; which act shall appoint in what manner the confiscations and proportions before-mentioned may be levied, and applied to the discharge of the said engagements. XV. That a bill be prepared, whereby the subjects of the kingdom of England may be appointed to be armed, trained and disciplined. The like for Scotland, in such manner as the estates of parliament there shall think fit. XVI. That a bill may be prepared for the settling the admiralty and forces at sea, and of the sea duties, and of the impositions of Tonnage and Poundage for the maintaining the said sea forces; the residue to be settled in the crown. The like for Scotland in such manner as the estates of parliament there shall think fit. XVII. An act for the settling of all Forces, by sea and land, in commissioners, to be nominated by both houses of parliament, of persons of known integrity, and such as both kingdoms may confide in, for their faithfulness to Religion and Peace of the kingdom, viz. of the house of peers , and of the house commons *who shall be removed or altered, from time to time, as both houses shall think fit; and when any shall die, others shall be nominated in their places by the said houses; which commissioners shall have power, 1. To suppress any Forces raised without authority of both houses of parliament, or, in the intervals of parliament, without consent of the said commissioners, and to suppress any foreign forces that shall invade this kingdom; and that it shall be high treason in any who shall levy any force, without such authority and consent, any commission under the Great Seal, or any warrant to the contrary notwithstanding; and they to be incapable of any pardon from his majesty, and their estates to be disposed of as both houses shall think fit. 2. To preserve the Peace now to be settled, and to prevent all disturbances that may arise by occasion of the late troubles, and to inquire by jury, and to hear and determine all violation of the articles among the subjects of the kingdom of England. So for the kingdom of Scotland. 3. To have power to send part of themselves, so as they exceed not a third part, or be not under the number of , to reside in Scotland; to assist and vote as single persons with the commissioners of Scotland, in those matters wherein the kingdom of Scotland is only concerned. So for Scotland. 4. That the commissioners of both kingdoms may meet, as a joint committee, as they shall see cause, or send part of themselves as aforesaid to do as follows: 1. To preserve the peace betwixt the king and kingdom. 2. To prevent the violation of the Articles of Peace as aforesaid, or any troubles arising in the kingdoms; to hear and determine all differences that may occasion the same, according to the Treaty; and to do farther according as they shall respectively receive instructions from both houses of parliament in England, or the estates of parliament in Scotland; and, in the intervals of parliament, from the commissioners. 3. To raise and join the forces of both kingdoms to resist all foreign invasion, and to suppress any forces raised within any of the kingdoms by any authority under the Great Seal or other warrant whatsoever, without consent of both houses of parliament in England, and the estates of the parliament in Scotland, or the said commissioners of that kingdom, whereof they are subjects; and that in those cases of joint concernment to both kingdoms, the commissioners to be directed to be all there, or such part as aforesaid, to act and direct as joint commissioners of both kingdoms. 4. To order the war of Ireland according to the Ordi-

‡ Here the Names of the respective persons objected to, are to be filled up.

* Blanks are here left for the Names of the members of each house to be nominated as Commissioners.

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ſiance of the 12th of April, and to order the Militia, and to conserve the peace of the kingdom of Ireland. XVIII. That his majesty give his consent to what the two kingdoms shall agree upon, in prosecution of the Articles of the Large Treaty, which are not yet finished. XIX. That an act be passed, that all peers made since the day of , and who shall be hereafter made, shall not sit or vote in the parliament of England, without consent of both houses of parliament. So for Scotland. XX. That an act be passed that the lord-keeper, lord-treasurer, lord-deputy of Ireland, judges of both benches, of the Exchequer, and Wales, be nominated by both houses, to continue quamdiu se bene gesserint; and, in intervals of parliament, by the afore-mentioned commissioners, to be approved or disallowed by both houses at their next sitting. The like for Scotland, in such manner as the estates of Parliament there shall think fit. XXI. A proposition for the Education and marriage of the king's children. XXII. A proposition for uniting the protestant princes against the papists, and concerning the restitution of the Prince Elector. XXIII. A proposition concerning foreign negociations, and concluding peace and war with foreign princes and states. XXIV. To report the desire of this committee, that some members of both houses may be sent unto the lord mayor, court of aldermen, and common-council, to acquaint them that the houses are preparing Propositions for a safe and well-grounded Peace; and that both houses will be ready to take into consideration such Propositions, as they shall present, in behalf of the city of London. The like for the city of Edinburgh, to be sent to the Convention of Estates of Scotland or their commissioners. XXV. An act of Oblivion, with exceptions relative to the qualifications in the Proposition as aforesaid, for the joint Declaration, and what exceptions the king shall think fit. The like for Scotland. XXVI. A proposition for disbanding the armies. That consideration be had of the preamble and conclusion, and what shall be promissory, in them, to the king from both kingdoms. Signed in the name, and by the warrant, of the Committee of both kingdoms, P. WHARTON. Jo. MAITLAND."

The parliament were now busily employed in settling the different commands of their two generals, Essex and Manchester; and, indeed, the whole transactions, in the Journals of the house of commons at this time, seem more properly to bespeak a council of war than an English parliament.

An Ordinance, for further continuing the Joint Committee, passed by the Lords; but rejected by the Commons.] May 6. The limited time of three months, appointed by the Ordinance of Feb. 16, for the continuance of the Joint Com. ittee of both kingdoms, being now near expiring. Another Ordinance, for their further continuance, was read in the house of lords, of their own framing, because the last, concerning Propositions for Peace, had occasioned such disputes between the two houses; which, being read, passed that house, and was ordered to be sent down to the commons: and because divers named in the former were absent, and likely to be so, about the great and necessary employments of the commonwealth, therefore this Ordinance appointed a new committee, of English lords and gentlemen, to join with the Scots, for the better managing of the affairs of both nations; to continue 3 months, from the expiration of the last commission, and no longer.—But we find that this Ordinance was likely to create as much dispute as the other; for, on the same day that the lords read and passed it, the commons rejected it, on a division, 82 against 69; and sent up another Ordinance of their own framing, for enlarging the time of the commission; which being read thrice in the lords, and put to the vote, was carried in the negative; notwithstanding the commons sent up a message with their Ordinance, "That it was a thing of such consequence for carrying on the great affairs of the kingdom with prudence and secrecy, that religion and all was at stake without it."—The Reasons, pro and con, between the two houses, relative to this and other disputes, are left on record in their Journals, but are too long and tedious for our purpose.

The Parliament's Letter to the Lord-General Essex, on a Report of the King's coming to London.] May 15. The commons sent up to the lords for their concurrence to the following form of a Letter to the lord-general:

"My lord; There being here a general report of his majesty's coming to London, we, by command of the houses, desire your lordship to use your best endeavours to find the grounds of it. And if, at any time, you shall understand that his majesty intends to repair hither, or to your army, that you presently acquaint the houses, and do nothing therein without their advice."—The lords agreed to the Letter, and ordered it to be sent to the lord-general.

This day the lords ordered the lieutenant of the Tower to deliver to the officers of the king's standing wardrobe, the Suit of Tapestry Hangings, with the Story of the Spanish Invasion in 1588, to be hung up in the lords house of parliament, where they have ever since continued a great ornament.

The Lord General's Answer.] May 17. The Speaker of the house of lords acquainted that house with a Letter from the lord-general, directed to him:

"My lord; How the general report is come of his majesty's coming to London, is utterly unknown to me. I shall not fail, with my best endeavours, to find the grounds of it; but London is the likeliest place to know it, here being no speech of it in this army. As soon as I shall have any notice of his intention of repairing to the parliament or the army, I shall not fail to give notice of it. And, as I am their servant, shall be ready, at all times, to obey

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their directions. For the business itself, of the king's coming to the parliament or to the army, I cannot conceive there is any ground for it; but however, I believe I shall be the last that shall hear of it. Your humble Servant, ESSEX. May 16, 1644. Upon the March."

The Ordinance for continuing the Joint Committee passed at length, by both Houses.] May 23. The lords sent a Message to the commons, informing them, That they did concur with them in the Ordinance, for continuing the Joint Committee, which they had carried in their house, on a division of 95 against 53. Upon which all differences about this affair were seemingly dropped; and the following is entered in both Journals, as a compromise of the whole dispute:

"Whereas by the Covenant and Treaty, ratified and established between the two kingdoms, both nations are engaged in one common cause against the enemies of their religion and liberties; and by the late entrance of the Scots forces into this kingdom, in pursuance hereof, are firmly united in a joint posture of arms, for their own necessary defence, and for maintaining of the ends expressed in the Covenant: and forasmuch as nothing can be more advantageous nor conducible to the purpose aforesaid, than that the conduct of the affairs of both kingdoms, in prosecution of the ends before-mentioned, be managed by the joint advice and direction of both nations, or their committees, authorized in that behalf; that so not only the counsels, resolutions, and forces of both kingdoms, may be, to the utmost improved to the common good, and a right intelligence, and firmer unity, held and preserved between and within themselves; but also that a good correspondency may be set on foot and maintained abroad, with other states in a joint way, to countermine the wicked confederacies and designs of the Popish and Antichristian faction, in all parts, against the true Protestant Reformed Religion, and the welfare of his majesty's three kingdoms: and whereas the Convention of the Estates of Scotland have appointed committees residing in Scotland, and in the Scots army; and have sent some of the said committees as commissioners for the purposes aforesaid, to repair unto, and reside near, the two houses; whereof some are already in this city. In consideration hereof the lords and commons, assembled in parliament, do nominate, ordain and appoint, Algernon e. of Northumberland, Robert e. of Essex lord-general, Robert e. of Warwick lord-admiral, Edward e. of Manchester, Wm. viscount Say and Sele, Philip lord Wharton, John lord Roberts, hon. Wm. Pierpoint, Sir Henry Vane, sen. sir Philip Stapylton, sir Wm. Waller, sir Gilbert Gerard, sir Wm. Armyn, sir Arthur Haslerig, sir H. Vane, jun. John Crew, Robert Wallop, Oliver St. John Solicitor-general, Oliver Cromwell, Samuel Browne, John Glynne, recorder, or any 3 of them, (whereof a member of each house to be present) to treat with the committees and commissioners appointed by our Brethren of Scotland, in such things as shall by them be propounded from, and in the name of, the kingdom of Scotland, for the ends aforesaid; and, from time to time, to advise and consult with them concerning the same. And do further give full power unto the members of both houses above-named, and unto John earl of Loudon lord high chancellor of Scotland, John lord Maitland, sir Archibald Johnston of Warriston, and Mr. Robert Barclay, or any 7 of them, (whereof a member of each house to be present) as a committee, to order and direct whatsoever doth or may concern the managing of the war, keeping good intelligence between the forces of the 3 kingdoms, and whatsoever may concern the peace of his majesty's dominions, and all other things, in pursuance of the ends expressed in the said Covenant and Treaty: and the committees of both houses are to observe such orders as they shall, from time to time, receive from both houses."

A Committee of Ways and Means, for maintaining the Parliament's Armies.] May 27. To support the vast expence that must naturally accrue from keeping four Armies on foot, the commons this day, appointed a committee to consider of all Ways and Means for raising of Monies; either by securities of companies, or other particular persons beyond seas; or by mortgaging of any lands, or by putting to sale sequestred estates; or any other way they could think of, and report the same to the house.

Vote of both Houses for the March of 10,000 Scots to reduce Newcastle.] June 22. A Message was brought from the commons, to let the lords know, That they were informed of the great pressures, which the counties of Northumberland, Cumberland, and Westmoreland, suffered under the enemy. And that, considering the Scots Army was then engaged before York, and the great inconveniency which would come to the city of London, and the Southern parts, for want of fuel, if some speedy course was not taken to reduce the town of Newcastle to the obedience of the parliament: for preventing these things, he said, The commons had passed a Vote, wherein they desired their lordships concurrence, viz. "That the Forces already raised, and now raising, in Scotland, being as is reported, about 10,000, be invited forthwith to come in for our assistance." To which Vote the lords agreed.

Letter from the E. of Essex setting forth the State of Affairs in the West.] Things beginning now to grow critical in the West of England, as well as the North, the parliament had their eyes also upon those parts. Sir Wm. Waller and his army had been ordered from thence, to serve elsewhere; and the earl of Essex, with his forces, were commanded to march there, for reducing those counties to the obedience of parliament. This day, the following Letter from their general, directed to the Speakers of both houses, was read to the lords, as follows:

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"Right Honourable; I have received a Letter, dated the the 10th of June, signed by the lord Grey of Warke and by the Speaker of the house of commons, in which the houses of parliament do direct that such a considerable party of horse should be sent to Lyme, as might raise the siege; and, that siege being raised, to join with those of Lyme, in pursuit of the enemy: and it appears by the same Letter, that both houses expect that the pursuit shall be effectually continued, for the frustrating of the enemy's settling of an Excise, and raising of men and monies in those Western parts. I desire to satisfy the expectation and fulfil the desires of both houses of parliament, and therefore to pursue prince Maurice and Hopton with my whole army; for it is impossible that the settling of an Excise, &c. should be wholly frustrated in those Western parts with a less strength than the whole body of my horse and foot, as will appear by the ensuing Reasons: 1. The enemy is gathered together again, stands in a body within 3 miles of Lyme; and no doubt but they have certain intelligence that 4 or 500 men have been drawn off from Lyme since we raised the siege. I hope they do not hear we are designed to make a stand by directions of the Grand Committee, yet have reason to suspect it: because they are so bold as to face the town again, as is signified to me by the governor's Letter. 2. I have sundry troops of horse engaged already for the preservation of that distressed, but deserving town of Lyme; and now there are so many hundred men drawn off from thence, it is impossible the town should be defended, or my engaged troops come off with honour, unless I advance with my whole army. 3. Weymouth, Melcombe Regis, and Sarfoot Castle, being now surrendered into my hands, I must leave some considerable strength behind me to preserve them, and block up the Portland men, or else I may lose Weymouth while I go to relieve Lyme. You see there is work enough for a greater army. 4. I am assured by the lord-admiral, that the Western counties will flock in from all parts to our body, in case I march with my army further West. The Plymouth men will take the field with 2500 foot and horse, and fall upon the rear of the enemy while we charge them in the front. Lastly, It is the unanimous judgment of the Joint Council of War, both by sea and land (called upon this occasion by the lord high admiral and myself) that it will be exceeding prejudicial for me to retreat, or once to make a stand; and that my advance will, in all human reason, by the blessing of Heaven, be effectual for the preserving of Lyme, breaking the enemy's association, and reducing the West.—If, after all my sad consultations, faithful endeavours, and, by God's blessing, happy success, you shall call me back as one that is not fit to be trusted any further in a business of such high concernment, I will come and sit in parliament, as not knowing any military employment worthy of my presence in any associated county which is wholly committed to the care and trust of some inferior commander. I have no more to add, but that though your former directions could not be observed, yet your desires have been fulfilled by your lordships humble servant, ESSEX." P. S. My lords, I do forbear to give you an account of the Ordinance, Arms and Ammunition in the towns, because there are discoveries made every hour of more and more; but what is already is very considerable, and I shall shortly give you a particular account."

This Letter was ordered to be communicated to the commons at a conference; at which it was agreed, by both houses, That, in regard to the Reasons alledged by the lord-general in this Letter, and that he is now so far advanced in the West, as also that the commons had made suitable provision for the pay of his army there; that he should still proceed and follow those advantages he had gained, in order to prevent the associating of those Western counties, the raising of forces, and the levying of money in those parts, for the king's service.

Mr. Whitlocke remarks, "That it was thought strange, at that time, that the committee of both kingdoms should, at that distance, take upon them to give particular orders for the services and march of their armies, and not rather leave it to the chief commanders that were upon the place; who, upon every motion of the enemy, might see cause to alter their counsels. This, he adds, increased the jealousies and peaks between the lord-general and Waller, both gallant men; but the general thought himself undervalued and Waller too much exalted. Nor did there want pick-thanks to blow up those coals of jealousy, and this proved unhappy to the parliament's affairs afterwards."

Another Letter from the E. of Essex, for a Supply of Money, Ammunition, &c.] June 27. Another Letter from the lord-general, directed as before, and sent up by the commons, was read:

"Right Honourable; Since my last I am advanced with my army to Bridport, and intend, God willing, to march forward to-day. I desire the month's pay which we have so long expected, and that the ammunition and the shoes, which were heretofore promised to the soldiers, may be speedily sent, otherwise the service which I am desirous to do for the kingdom and parliament will suffer in a great measure. I desire the rather to press for this month's pay, and likewise a constant Supply for the army hereafter, according to the Ordinance, because I am in hopes that, if the money which can be raised in these parts may be employed for the pay of these men, which will come in unto us in these counties, it will be such an encouragement to them, that it may take very good effect: but if I be forced to pay my army with their monies, I fear they will unwillingly be at a double charge, and hazard their persons too. I likewise intreat you that some gentlemen of these Western

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counties may be speedily sent down, for most of us are strangers here; and I am confident their presence would much advantage the service. I doubt not but, by God's assistance, I shall be able to break the enemy's association, though the forces now with prince Maurice be much more considerable than was believed when I came hither; he having now with him 2500 horse, and about that number of foot, besides their garrisons. As soon as I understand the money is either at Southampton or Portsmouth, I will desire my lord-admiral to cause it to be conveyed by sea. I humbly desire the houses will be pleased to let me have their commands in these particulars, and I shall, with all chearfulness, shew my readiness to obey as becometh. Your &c. ESSEX. Bridport, July 4, 1644."

Ordinance for excluding all such Members as have deserted the Parliament.] June 29. The houses had for some time, been at variance respecting an Ordinance for excluding the Members of both Houses that had deserted the parliament; and the lords had given some Reasons to the commons why they could not agree to it. These not being satisfactory, they acquainted the lords that they still adhered to their former Resolution; on which that house took the business into debate this day; and the question being put, it was resolved to agree with the commons in this Ordinance, the earl of Lincoln only dissenting, who begged leave to enter his name against it. This Ordinance, or bill of exclusion, was in these words:

"The lords and commons now assembled in parliament, taking into consideration, that divers members of both their houses, have, since the beginning of the unhappy distractions depending, in breach of their duties, withdrawn themselves from that attendance upon the public affairs of the kingdom in parliament, to which the necessities of the kingdom, and the trust in them reposed, have obliged them; and have also joined with, and repaired unto that party, that is now in arms against the parliament; and seriously weighing the great inconvenience and prejudice, which hath arisen, and may farther arise, in respect thereof, the same tending to the scandal and dishonour of the parliament, the discouragement of such as are well-affected, and the subversion of religion, laws and liberty, by means whereof the whole kingdom is nearly interested and concerned in their said departure and offence. And whereas divers members of the house of commons who have deserted the parliament, and adhered unto those that levy war against the parliament, have, by judgment of the house of commons, been justly disabled from sitting, or continuing any longer members of the said house, during this present parliament; by which judgment, the several and respective counties, cities, boroughs and places, for which they served, have right to elect new members for the parliament, upon a warrant under the hand of the Speaker of the house of commons, directing a writ to issue under the Broad Seal to that purpose: and whereas divers members of the house of peers have also deserted the said house of peers, and adhered to those that levy war against the parliament. The lords and commons assembled in parliament do ordain and declare, That whatsoever member of the said house of peers hath so offended, or hereafter shall so offend, as aforesaid, shall be disabled from having any voice, or sitting in the said house of peers, during this present parliament, until his readmittance shall be approved of, and consented unto, by both houses of parliament. Provided always, and it is hereby ordained and declared, That whatsoever member of the house of commons, that heretofore hath deserted, or hereafter shall desert, the parliament, and adhere to those that levy war against the parliament, is, and shall be absolutely disabled from sitting in the said house of commons, during this present parliament."

Oswestry taken by the Parliament's Forces.] A Letter from the earl of Denbigh was this day read, giving an account of his taking the town and castle of Oswestry, in Shropshire, with 400 prisoners and 300 arms; on which the parliament ordered a Letter of Thanks to be sent him, for this his good service and former testimonies of affection to them, &c.

Letter from the Lord Admiral concerning the State of the Navy.] July 5. A Letter from the lord-admiral was read in the house of lords directed thus:

To the Right Hon. my very good lord, the Speaker of the House of Peers,

"My lord; I crave leave to trouble your lordship with a brief narration of the State of the Navy; which, when I look upon, as respecting the future, I find extremely defective; the stores being exhausted, and the magazines of hemp, rosin and tar, masts, canvas, and other materials near totally empty. It is true the house of commons hath had an honourable care to set apart timber for the several yards; but if it remain unwrought, through the officers not being able to fit it to use, the condition of the navy will not be bettered as to actual service. I find that the credit of the commissioners of the navy, which was heretofore very serviceable upon an exigent, is much spent; for the tradesmen will deliver nothing without ready money, having not received their first payment for their provisions abroad, though the second payments are become due; that the victuallers at Chatham, Portsmouth, &c. will deliver no more victuals to the ordinary, in regard of the great debts owing them; whereby, and by want of wages, the sailors are ready to mutiny, and the attendance of the ships to be neglected.—When I consider the Fleet now abroad, I find the Irish Guard in danger to be deserted by his majesty's ships employed there, before the summer ends, for want of means to compleat 8 months victuals; they receiving aboard but six months at their going out, and divers of the ships with me will

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be forced shortly to come in without reparation: I must therefore intreat your lordship to hasten what can be spared for the service, and a speedy furnishing of those remainders that were received short of the summer's portion, for neither of which, as I am informed, is any money ready.—I shall not urge for setting forth of more ships to increase the summer's fleet, knowing the great expences that lie upon the state; but if some ships designed to be part thereof, and now detained in the river, for ought I can hear to the contrary, for want of money, were abroad, the prejudice that befalls the North Sea fishermen, and the trade of the kingdom in general, for want of convoys, might happily be in some better measure prevented; to which I am able to contribute very little assistance, more than the present disposition of the Fleet affords; the ships being wholly taken up for securing the Western parts, which cannot be neglected.—A Winter Guard is necessary to be thought on, and the preparations will not admit of delay: the wages and freight of ships now in service will amount to a great sum, and if the provision of money precedes not their coming in, the state will contract a greater surplusage of charge, besides the discouragement of the mariners. It is too apparent that the Customs and Excise, set apart to the Navy, do not near reach the expence, though the benefit of reprizals be cast in; and I hear not of any other resolutions or means to make it up. It will be easily determined, that supplies of this nature and variety cannot be made on a sudden, especially in masts, whereof as I take it there are few in England; and that the opportunity of time cannot be let slip without a very great prejudice by addition in matter of price.—I cannot, with too much sense and sadness of thought, apprehend the danger that inevitably threatens the safety of his majesty's dominions, if timely care be not had in the premises; which, in testimony of my duty and performance of my trust, I cannot do less than represent to your lordship. I have this evening received a Letter and other papers from Milford-Haven, setting forth the distracted condition of those parts, which I have sent up to the committee of both kingdoms. They came accompanied with capt. Wm. Rigby prisoner, whom I have directed to be kept in safe custody at Portsmouth, till the parliament or the committee shall please to command him to London, he being suspected to be the unhappy instrument of the late calamities of Lancashire, by his treacherous compliance with the enemy. And so, desiring your lordship to impart this Letter to my noble lords of the house of peers, having myself communicated the same in substance to the house of commons, together with the tender of my humble service, I take leave, and rest, Your &c. WARWICK. Aboard the James in Portland-Road, July 1, 1644."

Letter of Admonition from both Houses to the E. of Essex.] July 6. Both houses agreed, at last, on a Letter of Admonition to be sent to their Lord-General. The Letter was this:

"My lord; We are commanded by both houses of parl. to acquaint your lordship, that the committee of both kingdoms have reported to them the designs of carrying on the war, with the Letter sent to your lordship in prosecution of those designs, with your several Answers. And they are of opinion, if the Resolutions of the houses, and the Directions of that Committee, had been followed, the public affairs had been in a better condition. We are also to let your lordship know, that, in some of your Letters to that committee, there are some expressions which might well have been forborne; but to make the best use of their affairs, as they now stand, they find themselves necessitated to new councils, and would have your lordship take all advantages on the enemy, and use all your best endeavours for the reducing of the West. And although they find themselves discomposed by your lordship's going into the West, in respect of the pay of the armies, yet the houses are in present consideration thereof, and will endeavour to settle it to the satisfaction of both armies: and do expect that such directions as your lordship shall, from time to time, receive from them or the committee, be observed. This being all we are commanded to signify to your lordship, we remain, Your lordships faithful servants." Signed by the Speakers of both Houses.

The King's Message to the Parliament, from Evesham, for Peace.] Mr. Rushworth informs us, That the king, a few days after the blow he had given to sir Wm. Waller at Cropredy Bridge, advanced to the borders of Worcestershire: and, being arrived at Evesham, his majesty sent, from thence, a Message to the earl of Essex to be communicated by him to the parliament, containing some Propositions for Peace. This Message, he adds, was sent accordingly; but the houses not conceiving themselves to be owned by the direction of it, and because it was but a copy, though the original, as was intimated to them, was in the hands of the French agent, returned no Answer to it. This may be the reason that this Message is not taken notice of nor entered in either of the Journals: but since this proceeding is somewhat singular, we shall give it from the King's Works:

To the Lords and Commons of Parliament assembled at Westminster.

"C. R. We being deeply sensible of the miseries and calamities of this our kingdom, and of the grievous sufferings of our poor subjects, do most earnestly desire that some expedient may be found out, which, by the blessing of God, may prevent the further effusion of blood, and restore the nation to Peace; from the earnest and constant endeavouring of which, as no discouragement given us on the contrary part shall make us cease, so no success on ours shall ever divert us; for the effecting whereof, we are most ready and willing to

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condescend to all that shall be for the good of us and our people, whether by way of confirmation of what we have already granted, or of such further concession as shall be requisite to the giving a full assurance of the performance of all our most real professions concerning the maintenance of the true Reformed Religion, established in this kingdom, with due regard to the ease of tender consciences, the just privileges of parliament, and the liberty and property of the subject, according to the laws of the land; as also the granting of a general Pardon, with or without exceptions, as shall be thought fit. In order to which blessed Peace, we do desire and propound to the lords and commons of parliament assembled at Westminster, that they appoint such and so many persons as they shall think fit, sufficiently authorized by them, to attend us at our army, upon Safe-Conduct to come and return, (which we do hereby grant) and conclude with us how the premises, and all other things in question betwixt us and them, may be fully settled; whereby all unhappy mistakings betwixt us and our people being removed, there may be a present Cessation of Arms; and, as soon as may be, a total disbanding of all our armies, the subject have his due, and we be restored to all our rights. Wherein, if this our offer shall be accepted, there shall be nothing wanting on our part which may make our people secure and happy. Given at our Court at Evesham, the 4th day of July, 1644."

Ceremonial of admitting the Dutch Ambassadors to an Audience of both Houses.] July 8. The lords took into consideration in what manner to give audience to the States Ambassadors; and it was ordered, That all the lords should have notice to be present on the day; the peers to be in their usual habits without their robes; all the judges and assistants being present. The little lobby was to be prepared for the receiving them, before their Address to the house; whither none were to come but themselves, and the Painted-Chamber to be kept clear to entertain their company. The master of the ceremonies was to conduct them there from their own houses; then the usher of the black rod was to bring them in from the lobby, and three chairs to be set in the house for them. That, when they were come in, every lord, sitting in his place, was to stand up and salute the ambassadors; then to sit down and not to stir out of their places to speak with them so long as they were in the house. If the Ambassadors spoke any thing, their interpreters were to report it to the Speaker in English, and they to withdraw before the Speaker reported the same to the house. The Ambassadors to sit covered; and that coaches be sent to bring them and their followers to the house, such lords as had coaches being desired to send them.

The Orders which the Commons made for the Introduction of these Ambassadors to that house, are also entered in their Journals, as follows: 1. The master of the ceremonies, to be commanded by the house, to acquaint the States Ambassadors, in the name of the house, That they have appointed Friday, at 9 of the clock in the morning, to give the said Ambassadors Audience, according to their desire expressed in a paper, dated the 5th of July instant; and to return their Answer unto the Speaker of the house. 2. That the said master of the ceremonies, on the day of Audience, take with him ten coaches, with a convenient number of gentlemen of quality, which shall be appointed by the house, to go along with him to accompany the Ambassadors to the council-chamber of the court of wards, at the hour appointed, and to give notice of their being there. 3. That the guard place themselves from the outward door of the lobby of the house of commons, to the outward door entering into the court of wards; and to keep the rooms and way clear between the court of wards and house, suffering none to come in but the members of the house, and those that are appointed to accompany the Ambassadors and their train. 4. That three chairs, with arms, be placed somewhat above the middle of the house, for the Ambassadors. 5. That the serjeant, by command of the house, go with his mace to give them notice that the house is ready to receive them; and that he conduct them, in his usual manner, to the house. 6. That the master of the ceremonies, and the gentlemen appointed to accompany the Ambassadors, and the ambassadors train, do stay and make a lane in the lobby; and none of them to follow the ambassadors into the house beyond the bar: and, upon the Ambassadors going to their chairs, all the gentlemen to withdraw, and the doors to be shut, and the serjeant to lay down his mace on the table. 7. That, upon the Ambassadors coming within the bar of the house, the Speaker to rise up in his chair and salute them; and all the members of the house to put off their hats, sitting in their places; and then the ambassadors to be heard what they have to impart. 8. Upon their retiring to the place of their repose, the same passages and ceremonies to be observed, as in their first coming up."—These directions were ordered to be delivered to the master of the ceremonies, who was to take proper care in every particular.

Ordinance for an additional Excise.] This day an Ordinance was read for laying an additional Excise upon some commodities not yet thought of; the preamble of which, expressing the necessities of the parliament at that time, deserves our notice:

"The lords and commons in parliament being desirous, by all good means, to provide for the payment of the public debts of the kingdom, which they hope, by God's blessing, in convenient time to bring to pass; and earnestly labouring for the present satisfaction and payment of such pressing debts, as are due unto several handicraftsmen, strangers, and other persons, for arms and ammunition, bought and taken up of them for the service of the state;

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likewise to several poor persons, for carts, carriages, and waggons, for the same use; and for the relief of wounded and maimed soldiers, that have received their wounds in the service of the common-wealth; and for the widows and children of such as have lost their lives in the said service; and for other necessary occasions for the defence of the king, parliament, and kingdom; do hereby order and ordain, &c." The commodities now to be excised, by this Ordinance, were things of English growth and manufactory, the foreign being already subjected to that kind of tax; as allum, copperas, Monmouth caps, hats, starch, hops, saffron; all manner of silks and stuffs, upholstery ware, tin, wood, iron, and tobacco pipes.

Relation of the Battle of Marston Moor.] July 10. The earl of Northumberland reported to the house a Letter the committee of the two kingdoms had received from the generals of the armies in the North, giving an account of the great victory obtained over the king's forces at Marston Moor near York; which was read in these words:

"Right honourable; Since our last to your lordships, the condition of our affairs is not a little changed; for upon Monday last, upon notice of prince Rupert's marching from Knaresborough towards us, we resolved and accordingly drew out the armies to have met him; and for that end did march the same night to Long-Marston Moor, about 4 miles off the west-side of York; but he, having notice thereof, did pass with his army at Buroughbridge, and so put the River Ouse between him and us; whereby we were disenabled to oppose his passage into York, the bridge we built on the West side of the town being so weak, that we durst not venture to transport our armies upon it. This made us resolve, the next morning, to march to Tadscaster, for stopping of his passage southward: and the armies being so far on their way, as the van was within a mile of it, notice was sent to us by our horsemen, who were upon our rear, that the Princes army, horse and foot, were advanced the length of Long-Marston Moor, and was ready to fall upon them: whereupon we recalled the army, and drew them up on a corn hill, upon the south side of the Moor, in the best way we could, so far as the straitness of the fields, and other disadvantages of the place, would permit. Before both armies were in readiness, it was 7 o'clock at night, about which time they advanced the one to the other; whereupon followed a very hot encounter for the space of 3 hours, whereof, by the great blessing and good providence of God, the issue was the total routing of the enemy's army, the loss of all their ordinance to the number of 20, their ammunition and baggage, about 100 colours, and 10,000 arms. There were killed upon the place about 3000 of them, whereof many are chief officers, and 1500 prisoners taken, amongst whom there were above 100 officers, in which number is sir Charles Lucas, lieut. general to the marquis of Newcastle's horse, major-general Porter, and major-general Tillier, besides divers colonels, lieutenant-colonels, and majors. Our loss, God be praised, is not very great, being only one lieut. colonel, some few captains, and about 2 or 300 common soldiers. The prince, in a great distraction, with a few horsemen and almost no foot, marched the next morning from York northwards. We are now lying down in our old Leaguer before York, which we are in hopes, in a few days, to gain, and are resolved to send a great part of our cavalry after prince Rupert. We having nothing to add, but, as the glory of all the success belongeth unto God, and the benefit, we hope, shall redound to the whole kingdom, we have appointed this next Sabbath for a day of public thanksgiving throughout the armies; and beg your lordships would appoint a day for the same purpose, to be kept throughout the kingdom, and notice sent to us thereof, that we may join all together in it, and we shall continue, Your &c. LEVEN, FAIRFAX, MANCHESTER, LYNDSAY, THO. HATCHER, From the Leaguer before York, July, 5, 1644."

A Thanksgiving thereupon.] After the reading of this Letter, a day of Thanksgiving was appointed, the preachers at it named, to be on the 18th of this month, in all churches and chapels, in the cities of London and Westminster, unto the Lord of Hosts, that giveth all Victory, for those seasonable and extraordinary blessings, whereby the armies, under the command of prince Rupert and the earl of Newcastle, were totally routed and overthrown, &c. And a Letter of Thanks was ordered to be prepared to be sent to the generals, for their great care in that business.

Upon the defeat at Marston, divers persons of quality, in discontent at that action, and at passages of prince Rupert distasteful to them, quitted their charges under the king, and went beyond sea. There landed of them at Hamburgh, the marquis of Newcastle and his two sons, (Charles viscount Mansfield, and lord Henry Cavendish) his brother sir Ch. Cavendish, general King, the lord Falconberg, the lord Widdrington, the earl of Carnwath, the bishop of Londonderry, (dr. Bramhall) sir Edw. Widdrington, sir Wm. Carnaby, col. Basset, sir Wm. Vavasour, sir Francis Mackworth, and about 80 others. The marquis came no more into England till after the Restoration. Mr. Whitlocke writes, "That colonel CROMWELL was much cried up for his service in this Battle, and received a slight hurt with a pistol shot in the neck." Lord Clarendon and Mr. Rushworth both agree in giving him a great share of the honour of this victory; but Mr. Hollis † insists upon it very positively, "That his friend Cromwell," as he calls him, "had neither part nor lot in the business;" and charges him with being an errand coward.

The Dutch Ambassadors admitted to an Audience of Parliament.] July 12. This being

† Memoirs from the year 1641 to 1648, p. 15.

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the day appointed by the lords to give Audience to the Ambassadors of the States General, the lords, according to the foregoing Order, being all in their places, the gentleman-usher of the black rod and the master of the ceremonies introduced the Ambassadors. After due respects made, they produced their Letters of credence, which they delivered to the Speaker, who gave the same to the master of the ceremonies, who read them at the clerk's table; which being done, one of the Ambassadors delivered their embassage in French, which was afterwards read in English by their secretary. The Ambassadors being departed, the lords commanded the Credential Letters to be read again; and it was ordered to take this business into consideration the next morning.—It is observable, That when the Ambassadors were introduced into the house of commons, 49 colours taken from the king's forces at the Battle of Marston-Moor, lay upon the table. They were brought by captain Stuart, who was sent by the generals out of the North, with several commissions of the e. of Newcastle's, and a Letter, with colours, ensigns, &c. The sum of 100*l.* was ordered the bearer as a reward.

The lord Hunsdon impeached of High Treason.] July 13. Mr. Jephson, and others of the commons, were sent up to the lords, and, in the name of that house, and of all the commons of England, did accuse John Cary lord Hunsdon, (viscount Rochford, eldest son to the earl of Dover) of high treason, for adhering to the enemies of king and parliament. They also desired the lords to sequester him from parliament, and to secure his person in safe custody. The lord Hunsdon, being then in the house, desired leave to speak a few words; which being granted, he only said, That he humbly requested there might be a speedy proceeding in this business, that so his innocency might the sooner appear. After which he withdrew; and the house taking this into consideration, ordered, That the lord Hunsdon should be sequestered from parliament, and committed to the black rod, until the pleasure of the house be further known; but not so but that he might take the air for his health, in company of the gentleman usher, or any he shall appoint; and that any friend might have liberty to visit him. His lordship's houses, lands, and goods were also inhibited from being sequestered, till he was convicted of his accusation by the house of commons.

The Propositions of the Dutch Ambassadors.] Next were read the Propositions delivered to the lords by the Dutch Ambassadors; as also a Memorandum of divers Ships of theirs which had been taken, for which they required reparation:

The PROPOSITIONS of the Ambassadors of the High and Mighty STATES GENERAL of the United Provinces delivered by them, by word of mouth, in both houses of the parliament of England, the 12—22 of July, 1644.

* Right Hon. lords and commons; From the very beginning of the restoration of the liberty of the republick of the United Provinces of the Netherlands, the high and mighty lords, our lords the States General, their chiefest wishes and desires have ever been to see that the kings of Great Britain and these kingdoms might be perpetually maintained and preserved in a good concord, peace, and union, by which nothing could befal them, but all safety and advantage, and that for three principal reasons: 1. That these kingdoms, being the greatest and strongest body, which having received and maintained the profession of the true Christian protestant religion, and conserving it so well, it might also contribute much, yea by fame and reputation itself, to the conservation of states, confederates and friends, and of all the other protestant churches, established and spread throughout all Europe. 2. That these kingdoms by their situation, commodities, traffic, and navigation, and their republic, being so nearly combined by their common interest of state and religion, our lords might rest assured that the interest of the king and these kingdoms, being so mightily advanced and conserved, by the same means those of the Netherlands could not but be well conserved. And, 3. That this intestine peace, union, and concord (which prosperity and weal ordinarily accompanieth) continuing here, that not only the kings and kingdoms should be able to maintain and preserve themselves; but that the states, confederates and friends, or the good cause of the Protestant Religion, in other parts unjustly suffering, as formerly it hath been, and yet this day is too much perceived, they might ever find their refuge and asyle, their succours and their aid against all those, who, on the contrary part, of other states and churches, should undertake to undermine the true foundation of the happiness of these flourishing kingdoms.—For, your situation being well considered, you are in yourselves as a world apart separated from many inconveniences of the other. You have your commodities at home, not only which are necessary, and for your pleasure and delight; but also in such plenty, that you are able to communicate them to other nations, your neighbours. The sea doth serve you for a ditch and bulwark, and your power by sea is able to maintain you in your felicity, and exempt and free you from all foreign injuries; so that the good of your own conservation, and the cause of your evil and ruin, could not be suscitated, nor found elsewhere, but at home, and within yourselves. And certainly the kings and queens formerly have done notable assistances for the maintenance and conservation of the true religion, and of many states which had need thereof; among which our lords do profess themselves as much obliged and bound as any other. And the king and these kingdoms shall yet, in time, be able to do the like assistance, as well for the present, now there is so great a necessity, as for the future; provided you conserve yourselves in that concord

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and union, which heretofore hath made, and shall ever make, you mighty and redoubted. From hence it is, that the enemies of the peace of Christendom, and their agents, (who long since have framed and forged the design of an universal monarchy of Europe, yea of all the worlds, seeing and perceiving, with an envious and malicious eye, your former happiness, your flourishing state, and your power, and that there was nothing so contrary and dreadful to their vast conceptions, as your oppositions) to hurt and weaken, yea to ruin you, if they had been able, they have heretofore used all violence, and the strength of great fleets and armies; but in vain, and without success. They have at last not been able to act a better play, than that which is most familiar to them, and which hath helped them to the ruin of many great states which have not been so circumspect and prudent as you are. —Right Honourable; It is thus that, quitting open violence, they have, in a profound peace with you, and during the time of the same, sown among you the seeds and weeds of discord and dissention, as well in politics as church business, and will ever foment them; whence they assure themselves of a certain profit, whatever end the said dissentions might take. And by these means, and their accustomed craft, they have proposed to obtain that, by intestine troubles, you should weaken yourselves; and making you less mighty and less dreadful, and no ways considerable, you might serve at last, which God avert, to the inglutting of their insatiable ambition, to the destruction of the true religion, and of all that which may be dear and recommendable unto you, as we see already brought to pass in Ireland; where cruelties, murders, horrible and unheard-of slaughters have been perpetrated with effusion of so much innocent blood, to the total destruction of the true protestant religion there, and to the great danger of the state itself. Our lords seeing these misunderstandings, troubles, and miseries here already grown to so great an extremity; and being so highly interested in your well-being, have esteemed it fit and timely to send us, their Ambassadors, to this kingdom, to offer to the king and to his parliament our service and mediation; to help, if acceptable, to remove and take away the jealousies, which are and might be; and to compose the dissentions by the mild ways of an amicable conference. And our said lords declare, That they have not been moved hereunto by any presumption, or to intrude themselves in the business of a great king, and of these mighty kingdoms; but only to acquit themselves of the office and duty of good friends; and also to acknowledge, on this occasion, the great obligation which the king and these kingdoms have upon our republic. Our lords do further persuade themselves, that no other state in the world, but theirs, shall be found more fit and acceptable, in their opinion, to interpose itself in the mediation of an accommodation and re-union between his majesty and his parliament, and to whose interposition more credit might be given, without all suspicion; for the honour, greatness, and prosperity of the king and these kingdoms is, by reflection, the same for our republic; and, on the contrary, your evil is to us a very great affliction, and a most sensible evil. From thence may be taken this firm assurance, That the aim of our mediation shall not be to recommend an accommodation and reconciliation, feigned and painted without, or prejudicial and not assured within; but to procure a true re-union, sincere and perfect, founded upon the basis of the true religion and justice, which shall re-establish respectively the good correspondence, confidence, love, and the respects between the king and his parliament, and between all the good subjects of these great kingdoms. The king hath so much approved of the reasons and proffers of our said lords, that his majesty hath accepted, on his part, our interposition; and hath consented to a conference between commissioners to be sent from both parties, if you find it good; and that you shall chuse the place, the time, and the number of persons who shall be employed in this action.—Right Honourable; Now we come unto you, by command of our superiors, to make the same proffer of mediation, and to understand whether also it may be agreeable unto you. We have always observed, that your good inclinations have been carried to Peace, if you receive satisfaction to your just and reasonable demands. Your wisdoms also may well judge, that the ways of arms are not always the surest, their successes being very uncertain, and which change face in a moment. The good cause which is proposed, doth not always promise an assured and certain success; for we are all men, and God sometimes permits the good cause to suffer for our sins. All war is an affliction and punishment of God, in which we are not to take delight, when we can be freed of it upon honest and sure terms and conditions, that the wrath of God be no longer provoked against us. It is to be considered also, if no reasonable accommodation be found, that the decision of your differences by arms is not to be expected so soon; but rather, on the contrary, that it shall be the cause of perpetuating the wars in these kingdoms; because the king shall ever live in his royal posterity, and the parliament never dies, to suscitate always the former evil successes by new wars; which at length shall cause the total ruin and destruction of state and religion, only to the great advantage of the common enemy of our faith.—Right Honourable; If it please you to make use of our intercession, unto which the king consented at our first proposition and offer, we promise you to proceed and labour in it with all sincerity and fidelity, as ambassadors, sent by your best friends and allies, making profession of one and the same religion: and we shall spare no endeavour, travel, nor pain (by the good will which his majesty hath declared to us, and by your good intention) to make the affections of

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our lords succeed to such perfection, that the king and his parliament, and all good and loyal subjects of the king, and lovers of their country, shall find their desired contentment and tranquillity with all assurance.—Right Honourable; We must yet add, That your troubles and wars, trouble and endanger us also; for many merchants and masters of ships daily present themselves to our lords, the States General, and to us here, with their complaints, that your men and ships of war trouble their course of trading and traffic, and take their ships and goods without any just cause, and without reason and any right at all; as may be seen by a Memorandum hereunto annexed, which you are desired to take notice of, and to give order for restitution and reparation of the damages sustained for the present, and to take such course, that, for the future, the like excesses may be prevented. And if any doubts be found in the said Memorandum, that it may please you to appoint us some commissioners to settle the points of which we are complaining, as shall be found to appear with reason."

The Queen leaves the Kingdom.] On the 14th of this month the Queen, who, on the 16th of June, had been delivered of a daughter, at Exeter, (the princess Henrietta) took shipping at Falmouth. Mr. Rushworth informs us, "That the earl of Warwick had ordered several ships to attend at Torbay, to intercept and hinder her passage; yet her majesty, with a Flemish man of war and ten other ships, adventured out; and, by the advantage of the wind, avoided any annoyance from the parliament's fleet, who yet pursued with all the sail they could make, and one frigate came up and discharged several shots at them; but her majesty's ships coming out fresh tallowed and trained for so important a service, had the advantage of them in sailing: and, to prevent the worst, there was a galley provided with 16 oars, which might have carried off her majesty if they could have come up; but, without needing to make use thereof, her majesty landed safely at Brest, in France; and resided in that her native kingdom till after the Restoration of the royal family."

Ordinance for directing the Proceedings of the Joint Committee of both Kingdoms.] July 19. The following Ordinance for directing the Proceedings of the committee of both houses appointed to join with the committees and commissioners of Scotland, as sent up by the commons, was agreed to in the Lords:

"Whereas by an Ordinance, intitled, 'An Ordinance for appointing a Committee of both houses to join with the Committees and Commissioners of Scotland, for the better managing the affairs of both nations in the common cause, according to the ends expressed in the last Covenant and Treaty between the two nations of England and Scotland,' it is, amongst other things, ordained, That the committee of both houses, mentioned in that Ordinance, are to observe such orders as they, from time to time, shall receive from both houses of parliament: The lords and commons in parliament assembled, do, for the better directions of the said committee in their proceedings, declare and ordain, That the said committee, or any six of them, whereof one lord and two commons, shall treat with the committees and commissioners appointed by our brethren of Scotland, in such things as shall, by them, be propounded from and in the name of the kingdom of Scotland, for the ends in the said Ordinance expressed; as likewise propound to the committees and commissioners of Scotland, whatsoever they shall receive in charge from both houses, and, from time to time, advise and consult concerning the same, and report the results to both houses; and, further, the said committee, or any six of them, whereof one lord and two commons, shall, as a joint committee with the committee and commissioners of Scotland, advise, consult, order, and direct concerning the carrying on and managing of the war for the best advantage of the three kingdoms, and the keeping of good intelligence between the three kingdoms, their forces, committees, and councils; and likewise hold good correspondency and intelligence with foreign states: and, further, advise and consult of all things, in pursuance of the ends expressed in the late Covenant and Treaty. And it is further declared and ordained, That nothing in the Ordinance before-mentioned, doth or shall authorize the committee of both houses, thereby appointed, to advise, treat, or consult concerning any Cessation of Arms, or making of Peace, without express directions from both houses; and that the said committee have, and shall have, only such power and authority as is herein expressed, limited, and appointed, and none other. And for the better carrying on of this great work, and to the intent the debates and resolutions of that committee may be proceeded in with secrecy and expedition, for the best advantage of the public, it is further ordained, That all and every the members of both houses of that committee shall, before one lord and two commissioners of that committee, or such as shall, by the major part of the members of both houses present, being of that committee, be appointed, take this Oath ensuing, and shall swear as followeth: 'I, A. B. 'do, in the presence, and in the name of God 'Almighty, promise and swear to be faithful 'in this trust committed unto me; and that I 'will not reveal or disclose any thing, in the 'whole or in part, directly or indirectly, that 'shall be debated or resolved upon by this 'committee, without the command and di-'rection of those by whom I am intrusted, or 'without the order of the major part of this 'committee, or of the major part of them 'which shall be present at such debates or 'resolutions:' And the said lord and two commoners are hereby authorized to administer the same to any of the said committee. And, lastly, it is ordained, That the said committee are to observe such further orders and direc-

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tions as they, from time to time, shall receive from both houses of parliament. Provided also, that this Ordinance shall continue for 4 months, and until both houses shall take other order to the contrary, and no longer."

Several Judges impeached of High Treason, for adhering to the King.] July 22. The commons sent a message up to the lords, in their names and in the name of all the people of England, to accuse of High Treason sir Robert Heath, knt. lord chief justice of the King's-Bench, sir John Bankes, knt. lord chief justice of the Common-Pleas, sir Robert Foster, knt. one of the justices of the same, and sir John Glanville, knt. serjeant at law, for adhering to the king, now in arms against the parliament and kingdom. The commons also desired that such witnesses, as they should produce upon that Impeachment, might be examined upon oath, in presence of a committee of both houses. Serjeant Glanville, being come to town to make his Peace with the parliament, was taken up and committed, by the lords, prisoner to the Tower. These Judges and the serjeant had been concerned in trying and condemning captain Turpin, a sea-officer, for high treason at Exeter, who was afterwards executed, by order of sir John Berkley, governor of that city.

York surrendered to the Parliament's Forces.] July 24. The lord Wharton, from the committee of both kingdoms, reported some Letters from the Northern Generals, in which was a narrative of the surrender of the city of York to them, for the use of the king and parliament, together with the Articles for the same; but these Letters are not entered in the Journals.

Aug. 14. Several Letters are entered in the Lords Journals; wherein the lord-general describes his own situation at that time, and gives the parliament most convincing proofs of his inviolable fidelity to them. These Letters being read, the lords thought it proper that they should be, forthwith, communicated to the commons at a conference, with this sense, That a Letter should be sent from both houses to the lord-general, taking notice of his great faithfulness to the parliament, and to give him thanks and encouragement for the same; to desire the commons to appoint a committee to join with one of theirs, to draw up a Letter for that purpose.

The French Ambassador demands an Audience of the Lords.] The French Ambassador had left the kingdom some time, but a resident was appointed by that court to remain here; who, about this time, had sent to let the parliament know that he had Letters of Credence to deliver to both houses, as a recognition of their power, and demanded an audience. On this the lords ordered the manner of his reception in their house in this form: first, that he come to his audience in his own coaches, accompanied with the master of the ceremonies: that a chair without arms be set for him, in some convenient place in the houses, as they shall, respectively think fit: that he sit covered; and, at the time of his speaking, he stand up uncovered. This being agreed to, a day was appointed for this ceremony; but, on the 15th, the resident, being made acquainted with the intended manner of his reception, refused to come at all; probably, because it differed so much from the manner and form in which the parliament had received the Dutch Ambassadors at their audience, (see p. 275).

It has been mentioned that the marquis of Newcastle's Papers, &c. were taken at the Battle of Marston-Moor; and amongst them, it seems, there were some original Letters from sir John Hotham and his son, which proved plainly that they kept a secret correspondence with the enemy. This stirred up the commons to bring them both to trial; and, in order to it, they set about getting an Ordinance passed for the executing of Martial Law; a thing which had been some time canvassed between the two houses.

Ordinance appointing Commissioners for executing Martial Law.] Aug. 16. Several Messages had been sent up, from the commons to the lords, to hasten the passing of this Ordinance. Some disputes had arisen between them about the form of it; which being settled this day at a conference, report of it was made to the lords, That the commons agreed to limit the time to 4 months, as their lordships had directed; but as to their proviso, for acquainting the houses before execution, the commons did not agree, but desired it might be left out. On this the question was put, Whether to agree with the commons, as it was then reported? which passed in the affirmative; the earl of Lincoln again dissenting. The Ordinance was as follows:

"Be it ordained by the lords and commons assembled in parliament, and by the authority of the same, That Robert earl of Essex, captain-general of the forces raised by the authority of parliament, Algernon e. of Northumberland, Henry e. of Kent, Philip e. of Pembroke, Wm. e. of Salisbury, Oliver e. of Bolingbroke, Edward e. of Manchester, Basil e. of Denbigh, Wm. lord viscount Say and Sele, Philip lord Wharton, Dudley lord North, Wm. lord Grey of Werk, John lord Roberts, Philip lord Lisle; sir Wm. Waller, sir Arthur Haslerig, sir John Corbet, sir John Bamfield, sir Henry Heyman, col. Alex. Popham, col. Stapeley, col. Whitbread, col. Morley, col. Purefoy, col. Ven, Edw. Bainton, esq. col Wm. Jephson, col. Alex. Rigby, Tho. Arundel, esq. serjeant-major-general Skippon, sir Nath. Brent, doctor Tho. Eden, John Bradshaw, esq. Wm. Steel, esq. sir James Harrington, col. Browne, col. West, col. Ch. Fleetwood, col. Williams, col. Turner, col. Manwaring, col. Whitcote col. Pinder, lieut. col. Welden, lieut. col. Underwood, lieut. col. Wilson, major Salloway, major Tichborn, col. Humphrey, col. Player, col. Prince, col. Harsnet, major Camfield, col. Wm. Molins, col. Owen, col. Web, lieut. col. Bradley, or any 12 or more of them, whereof

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such of the members of either house of parliament, as have commissions and commands in any of the armies or garrisons, and sir Nath. Brent always to be three, shall be commissioners, and shall have full power and authority to hear and determine all such causes as belong to military cognizance, according to the Articles in this present Ordinance mentioned; and to proceed to the trial, condemnation, and execution of all offenders against the said Articles; and to inflict upon the offenders such punishment, either by death, or otherwise corporally, as the said commissioners, or the major part of them then present, shall judge to appertain to justice, according to the nature of the offence, and Articles here ensuing. I. No person or persons whatsoever shall, from henceforth, voluntarily repair to, or go from, the cities of London and Westminster, or from any part of the kingdom under the power of the parliament, unto the person of the king or queen, or lords of the council abiding with him or her, or to any commander or officer of the king's army; or shall give or hold any intelligence by letters, messages, or otherwise, with any in arms against the parliament, without consent of both houses of parliament, or the committee appointed by Ordinance of parliament, for managing the war, the lord-general of the forces raised by the two houses, or from the respective officers that shall command, in chief, any of the said forces; upon pain of death, or other corporal punishment at discretion. II. Whosoever hath or shall plot, contrive, or endeavour the betraying, surrendering, or yielding up to the enemy, or hath or shall, contrary to the rules of war, surrender, yield up, or betray any cities, towns, forts, magazines, or forces, which now are, or hereafter shall be under the power of the parliament, shall be punished with death. III. No person or person whatsoever, not under the power of the enemy, shall voluntarily relieve any person, being in arms against the parliament, knowing him to have been so in arms, with any money, victuals, or ammunition, upon pain of death, or other corporal punishment at discretion; nor shall voluntarily and knowingly harbour or receive any, being in arms as aforesaid, upon pain of punishment at discretion. IV. No Officer or soldier shall make any mutinous assemblies, or be assisting thereunto upon pain of death. V. No guardian or officer of any prison shall wilfully suffer any prisoner of war to escape, under pain of death; or negligently, under pain of imprisonment, and farther punishment at discretion. VI. Whosoever shall voluntarily take up arms against the parliament, having taken the National Covenant, shall die without mercy.— VII. Whatsoever officer or commander hath or shall desert their trust, and adhere to the enemy, shall die without mercy.—And it is hereby further ordained, by the authority aforesaid, That the said commissioners, or any 12 or more of them, whereof such of the members of either house of parliament as have commissions and commands in any of the armies or garrisons, and sir Nath. Brent, always to be 3, shall be authorized, from time to time, so often as they shall think fit, or shall be ordered thereunto by both or either house of parliament, to sit in some convenient place within the cities of London, Westminster, or lines of communication, and to appoint a judge-advocate, a provost-martial, and all other officers needful. And it is hereby farther ordained, That all mayors, sheriffs, justices of peace, constables, bailiffs, and other officers, shall be aiding and assisting to the said commissioners in the execution of the premises; and that the said commissioners, and every of them, and all and every other person and persons, that shall be aiding and assisting to them in the execution of the premises, shall be saved harmless and indemnified for what they shall do therein, by authority of parliament. Provided, nevertheless, That no member of either house of parliament, or assistants of the house of peers, shall be questioned or tried before the commissioners appointed by virtue of this present Ordinance, without assent and leave first had and obtained of both houses. And be it also provided, That this present Ordinance, and the authority hereby given and appointed to the persons hereby nominated, shall endure and have continuance for 4 months from the making hereof. Provided, That this Ordinance, for any offence hereafter to be committed, shall not take place or be of force, until 8 days after the publication hereof, any thing herein to the contrary notwithstanding."

Aug. 20. The commons had sent their late Propositions for Peace (intended to be presented to the king) to the parliament of Scotland, for their approbation, who returned them with only some few verbal alterations; and they were this day presented to the lords at a conference, who appointed a day to take the same into consideration.—Nothing more occurs to the end of this month, of any great moment, except that the lords agreed to the Propositions for Peace, sent up by the commons.

The Elector Palatine comes into England.] Sept. 1. The Prince Elector about this time came into England, and landed at Greenwich before the parliament had any notice of his intention. Both houses were greatly alarmed at this news; but presently ordered a joint committee to wait upon his highness, with this message: "That the parliament did not know of his highness's arrival, nor of any intention of his coming into this kingdom, till two days since: that considering the conjuncture of affairs, both at home and abroad, the parliament is much surprized at not being informed and consulted with before his coming over; and doth conceive that the residence of his electoral highness, at this time, in foreign parts, would be of more advantage to his own and the public interest. The parliament have always been most tender of his highness's affairs, are, and will yet be so; and had then sent a

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committee of their own to visit him, and give him assurance thereof; which they would ever express in their actions and faithful advice." They also ordered the commissioners of the revenue to discharge the expence of the Prince's table and retinue for ten days.

Sept. 2. The aforesaid committee reported to the lords, That they had waited on the Prince Elector, and acquainted him with what they were commanded, and to which he had returned this Answer: "That his highness did think himself much obliged to the lords and commons for this and for their former favours: that he undertook this journey to testify unto them, by such an action, his constant and sincere affection, formerly expressed in Letters, to the good cause they maintain: conceiving, withal, that his being with them in person, for a time, might hinder such jealousies, as either the actions of some of his near friends, or the ill offices of his enemies, might, by his long absence, cast upon him: that his highness wisheth them a constant good success in the great work they had undertaken for the good of the Protestant cause; and that, for his part, he would always continue the same he had formerly professed." Thus much, the commissioners said, his highness expressed by word of mouth, and did intend to satisfy both houses more at large, with the motives and reasons of his coming; and, after, will chearfully embrace the advice that the wisdom of both the honourable houses shall be pleased to give him.—The lords, on hearing this submissive message from the Prince, thought fit to enlarge their former orders; and appointed an officer of the wardrobe to fit up apartments for him in Whitehall, and particularly the crimson velvet bed belonging to the prince of Wales, with all other things necessary for his better reception.

The Parliament's Letter to the E. of Essex, upon his Defeat in Cornwall.] Sept. 7. The houses had now been a long time in preparing an Answer to their general's last Letter from the West. They had indeed received intelligence from him, that he had himself escaped from Cornwall, by sea, and landed at Plymouth, being forced to leave his army to shift for themselves. This account at large, is omitted in the Journals; however, the following Letter is to be found there, which was sent to console him under this misfortune:

"My lord; The committee of both kingdoms have acquainted the parliament with your lordship's Letters from Plymouth. They have commanded us to let you know, that as they apprehend the misfortune of that accident, and submit to God's pleasure therein; so their good affection to your lordship, and their opinion of your fidelity and merit, in the public service, is not at all lessened; and they are resolved not to be wanting, in their best endeavours, for the repairing of this loss; and drawing together such a strength, under your command, as may, by the blessing of God, restore our affairs to a better condition than they are now in; for which purpose they have written to the earl of Manchester to march with all possible speed to Dorchester, with all the horse and foot he can. The houses have appointed 6000 arms for foot, 500 pair of pistols, 6000 suits of cloaths, &c. to meet your lordship at Portsmouth, for the arming and encouragement of your forces. They are confident your lordship's presence in these parts, for bringing the force into a body together, and disposing of them, will very much conduce to the public advantage."

The Elector Palatine lays before the Parliament the Motives of his Journey.] Sept. 14. The speaker of the lords acquainted that house, that the Prince Elector had sent him a Paper to be presented to them, which was read as follows:

MOTIVES and REASONS concerning his Highness the PRINCE PALATINE'S coming into England, presented to both the Honourable Houses of Parliament by his said Highness.

"All actions whatsoever being obnoxious to divers censures, his Electoral highness thought it necessary, openly, in this kind, to declare himself, and the integrity of his intentions in his present coming into this kingdom; that, if it be possible, malignancy may be silenced, candour and charity moved to speak for the truth, he having made the God of Truth his refuge and confidence; and knowing that the children of truth and innocency, who are neither changed with the frowns nor smiles of this inconstant world, must be his best friends, and, under God, his greatest confidence.—The present troubles of this kingdom, and his highness's present condition, proceeding, both of them, from the same supreme Providence; the great affairs of the honourable houses of parliament, and his own near relation, which will not suffer him to account himself a stranger, will, as he conceives, sufficiently satisfy for the manner of his coming; since, by a solemn and public warning, he might have seem'd to expect some ceremonies in these conjunctures very unseasonable.—But as his highness's resolution to come, at this time, may, he now finds, be subject to such exceptions, as his sincerity would not permit him to foresee or apprehend, he thinks it necessary to declare, that his last departure out of this kingdom did not proceed from any sinister intention. His behaviour whilst he was abroad, his approving of the cause jointly prosecuted by both these kingdoms, (since which time he hath had no reason to change, many reasons to confirm, his mind,) are all evidences, that it hath not a rise from unjust ambition, or a desire to intrude himself into the public affairs of these kingdoms: he chuseth rather to make the reality of this appear against all calumnies and jealousies, of what nature soever, by his comportment and actions during his abode in this place, than by word or writing: misconstructions are not the least part of the many sufferings which not only the innocent, but the most

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deserving, must resolve to bear, 'till truth, which is the daughter of time, makes them to vanish.—Neither can his highness forbear, with unspeakable grief, to observe, that the public actions of some of the nearest of his blood have been such, as have administered so much cause of sorrow and jealousy; even from such persons, upon whose affections, in respect of their love and zeal to the reform'd religion, his highness doth set the greatest price.—But as his highness is not able to regulate what is out of his power, so he is confident that the justice of the parliament, and of all honest men, will not impute such actions to him as are his afflictions, and not his faults. It must needs be known to the Christian world, and to no man should it be be better known than to his highness, that the commotions, which exercise and distract these kingdoms, are, originally, derived from the same Popish principles hammer'd upon the same Jesuitical anvil, and driven to those Antichristian ends, which have brought such deplorable and lasting calamities upon Germany; And his highness is confident that the parliament and people of God in these kingdoms, through the justice of the cause which they maintain, and their piety and wisdom in the managing thereof, will, in the end, by the blessing of God, prevail against whatsoever Spain, Rome, or the Gates of Hell could do or devise to the contrary; and that when truth and peace shall be settled in these kingdoms, they, out of their zeal to the glory of God, and the true reformed Protestant Religion and in pursuance of their former Christian and favourable declarations, will direct their councils, and bend their power, for the relief, deliverance, and restitution, of the opressed; amongst which the Electoral Family, by God's permission, whose judgments are unsearchable, hath had the deepest and most durable sufferings. These, and the like considerations, were the motives of his highness's departure out of England, in the beginning of these unhappy troubles; to which he must also add this important reason, that by this absence, he might be free of all councils and actions tending to the prejudice of that cause, which he ought zealousy to affect; for though he hath his hope in Heaven, yet all his expectations on earth are included in these kingdoms.—The same sense of Religion and public interest hath now drawn him, again, into this kingdom; that he may, in person, profess himself to be what he is, against all jealousies and insinuations; and what malice, in his absence, might have suggested against him.—It needs not to be remembred here what his highness's princely predecessors have done for that religion, ever since the blessed Reformation, for which he now suffers; nor how willingly his enemies would make him restitution of his dominions, rights, and dignities, could they persuade him to become an enemy to the truth; but God hath taught him rather to chuse afflictions than iniquity; persecution than impiety: and, in this affliction, and persecution by many open and secret enemies, whither should he address himself but to these kingdoms, which profess and defend the same religion, and are in affliction for the same cause; and from which the strong bonds of nature and Christian compassion make him expect such comfort, assistance, and protection, in this time of his exile and distress, that his cold friends may be heated thereby into more affection, and his enemies cooled of their rage and violence; 'till God be pleased to grant, first unto these kingdoms, and, afterwards, by their means, to himself and his subjects, full deliverance, establishment, and peace? His Electoral highness, having thus presented the Reasons of his Coming, and conditions of his affairs, in the next place returns his thanks unto the honourable houses of parliament, for their free declarations and promise of taking his affairs and interests into their care and consideration: and as he shall ever hold in high esteem and value the advice they shall give him; so, in the particular of his residence, at this time, in foreign parts, his highness is necessitated to offer this to their consideration, that he hath many enemies abroad, and that they are not a little increased since the late troubles in these kingdoms, and for his profession to this cause; which will render his abode unpleasing, and it may be, for many reasons, unhappy to him in those parts, where his and their enemies have so great an influence."

No further notice was taken of the foregoing Paper, in the house of lords, at this time. Mr. Whitlocke acknowledges, 'That, notwithstanding the Prince Elector's professions to the parliament, they were jealous of him, considering his near relation to the king, and the engagements of his brothers in that service, that he would do no good offices amongst them:"

The King's Message to the Parliament for Peace, upon his Success in the West.] Sept. 16. The Speaker presented a Letter to the house of lords, sealed with the king's own seal, which was inclosed in one to sir William Waller, thus directed, 'To the Lords and Commons of parliament assembled at Westminster;' which being opened, two Papers were inclosed, and they were read in these words:

"C. R. It having pleased God, in so eminent a manner, lately to bless our armies in these parts with success, we do not so much joy in that blessing for any consideration, as for the hopes we have that it may be a means to make others lay to heart, as we do, the miseries brought and continued upon our kingdom by this unnatural war; and that it may open your ears, and dispose your minds, to embrace those offers of Peace and Reconciliation, which have been so often and so earnestly made unto you by us; and from the constant and fervent endeavours of which we are resolved never to depart. In pursuance whereof we do, upon this occasion, conjure you to take into your consideration our too long neglected Message of the 4th of July, from Evesham,

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which we again renew unto you; and that you would speedily send us such an Answer thereunto, as may shew unto our poor subjects some light of a deliverance from their present calamities by a happy Accommodation: toward which we do here engage, on the word of a king, to make good all those things which we have herein promised, and really to endeavour a happy conclusion of this Treaty. And so God direct you in the ways of Peace. Given at our Court at Tavestock, the 8th day of Sept. 1644. By his Majesty's Command, GEO. DIGBY."

The other Paper contained a duplicate of what the king sent from Evesham, dated as above, and given at p. 274.

The Resolutions of both Houses thereupon.] After the reading of these the lords agreed to nominate a committee of 18 to join with a proper number of the commons, to consider what was fit to be done in this affair, and report the same to their house; and a message was sent down accordingly. Two days after, a Report was made, from the aforesaid committee, to the lords, That the commons had passed two Votes, which they offered to their lordships consideration; 1. That the direction of the King's Letter, 'To the lords and commons of parliament assembled at Westminster,' is not a direction which doth acknowledge the parliament of England. 2. It is the opinion of this committee, That both houses should be moved to send away, with all expedition, unto his majesty, the Propositions for a safe and well-grounded Peace, which are preparing by the parliaments of these kingdoms." These Resolutions were agreed to and confirmed by the lords.

Another Memorial from the Dutch Ambassadors, relating to their Offer of Mediation.] Sept. 20. The Dutch Ambassadors presented another Memorial to the lords; which being read, was only ordered to be communicated to the commons. This Paper was as follows:

"Right Honourable; We have divers times desired your lordships by word of mouth, as we do now by these few lines, that the honourable parliament might be induced to give us some Answer unto our interposition presented unto them. Your lordships know that this interposition could not be intrusted in better and safer hands than those of our States and their ministers; and we, for acquitting our charge for the interest of that state that hath sent us, and for the satisfaction of our own consciences, cannot, neither will we, have any other aim but that unto which our Instructions tend, which is your just contentment: for our lords and superiors have expressly sent us hither, and, above all, recommended to our care the conservation and maintenance of the true Christian Protestant Religion, which you have and do profess jointly with us. They have also charged us to advance the protection of the laws of this kingdom, without patronizing any act which might tend to the enfeebling or destruction of the same; but to accommodate a good, firm, and secure Peace and Union between his majesty, the parliament, and his people; a Peace and Union in sincere truth; and to see you settled in such a state, that his majesty, the parliament, and the subjects, may enjoy all that which is due respectively unto them, according to the said laws of this kingdom; and that the accord following thereupon might have all necessary security of a good and sincere observance. Your lordships may be assured we have no other intention than the advancement of your honour and reputation; which cannot be more advanced than by a good re-union amongst you; to effect which we do offer to travel with all our hearts and docility, if the honourable parliament will be pleased to declare that our intercession is acceptable to them. We do then desire that this may be communicated to the honourable parliament, and that we may have our Answer; but, if it will please them, a speedy and good one."

Sept. 23. Several Letters were read in the house of lords, containing an Account from sir John Meldrum, sir Wm. Brereton, and sir Tho. Middleton, of the raising the siege before Montgomery Castle in Wales.

Oct. 4. A Message was sent up from the commons to inform the lords, That they had received intelligence the king's forces were marching Eastward, and were come to this side Dorchester: they therefore desired their lordships concurrence in an Ordinance for sending 5 regiments of foot out of the city of London, to join with the earl of Manchester's forces. This Ordinance was read thrice in one day and agreed to.

Both houses continuing still deeply engaged in military affairs, and a decisive Battle daily expected, orders were given for all soldiers and officers of the city's marching regiments to repair to their posts; under pain of immediate death to the common men, if they were seen in the city, and a trial by martial law to the officers.

The Commons propose the coining of the King's Plate in the Tower, for supporting the War.] The parliament seem at this time to have been in very great want of money, by their making free with the king's magazine of Plate in the Tower of London. The commons proposed to the lords to have it all melted and coined for the present service. The lords disliked this proceeding, and first desired it might be pawned rather than be melted down; and afterwards proposed a conference with the other house, to give them Reasons why it should neither be melted nor pawned; but some other course found out to supply the occasions for which this money was intended. They alledged, that the Plate was antient; the fashion of it, and badges upon it, more worth than the plate itself; that the particular esteem set upon that plate would make it of ill consequence to sell it, though necessity be the motive: besides, it would look like the queen's selling or pawning the jewels of the crown. It was added, That the parliament had expressed

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their affection to the king, in that they would take care of his children; and it would now be very incongruous to sell his Plate. Notwithstanding these Reasons, the commons resolved to adhere to their former vote concerning the selling of the king's Plate, and ordered their committee to prepare Reasons to be offered at another conference about it.

Oct. 18. An Ordinance of parliament was this day read, and passed both houses, for laying a weekly assessment through the kingdom of England and dominion of Wales, for the present relief of the British army in Ireland.

Ordinance against giving any Quarter to Irishmen taken in Arms.] This day the lords passed an Ordinance, which had been sent up to them by the commons, enacting,—"1. That no Quarter shall hereafter be given to any Irishman, nor to any Papist whatsoever born in Ireland, which shall be taken in hostility against the parliament, either upon the sea, or within this kingdom, or dominion of Wales. 2. That the lord-general, lord-admiral, and all other officers and commanders, both by sea and land, shall except all Irishmen, and all Papists born in Ireland, out of all capitulations, agreements, or compositions hereafter to be made with the enemy; and shall upon the taking of every such Irishman, or Papist born in Ireland, as aforesaid, forthwith put every such person to death. 3. That the lord-general, lord-admiral, and the committees of the several counties, do give speedy notice hereof to all subordinate officers and commanders by sea and land respectively; who are hereby required to use their utmost care and circumspection that this Ordinance be duly executed. And, 4. That every officer and commander, by sea or land, that shall be remiss or negligent in observing the tenor of this Ordinance, shall be reputed a favourer of that bloody Rebellion in Ireland; and shall be liable to such condign punishment, as the justice of both houses of parliament shall inflict upon him."

A Fast appointed for the Success of the Parliament's Army in the West.] A general battle being daily expected, the parliament appointed the 22nd of this month, for a day of humiliation, to beg God's blessing on their armies now near the enemy, to be strictly observed within the lines of communication; and that no person presume to do any labour or open shop on that day. The ministers were ordered to give notice of it, in their churches, the next Lord's day; and the peers and their assistants to meet in their own house at nine, and to go in procession to the abbey for this purpose.

A Thanksgiving for the taking of Newcastle.] Oct. 25. A Thanksgiving was appointed by both houses, to be held the ensuing Lord's day, on the intelligence they had just then received from the Scots army in the North, of the taking of the town of Newcastle.

Oct. 26. An account came to the parliament, that their lord-general was taken ill; on which, because he was a person of so great worth, two commoners and one lord were ordered by both houses to attend him, and pay their respects unto him.

Relation of the second Battle at Newbury.] Oct. 29. A Letter was read in the house of lords, giving an account of the Fight at Newbury; viz.

"My lords and gentlemen; As we wrote in our last Letter, and as we repeat lest that should miscarry, yesterday about 4 o'clock, the forces which went from Thatcham towards Newbury, by way of Wickham-Heath, made a very brisk attack upon a work and breastwork, well guarded with ordinance, horse and foot, which commanded all the ways which led to that side of the field betwixt Newbury and Donnington Castle, where the king's army was drawn up. The works were made very strong, although they had but little time; and the gaining of them would have lost much time, and been doubtful, if the foot, amongst whom my lord-general's particular force deserved very well, had not, with extraordinary resolution, stormed them: which they did within an hour after the first charge. Upon our unexpected entrance into their works, the foot, which secured them, all run and left the ordinance that were placed in and about the works. Major-General Skippon hazarded himself too much: sir Wm. Balfour used a great deal of diligence, there being but few field officers of horse. Sir Wm. Waller, sir A. Haslerig, sir James Allington, lieut. gen. Middleton, lieut. gen. Cromwell, major-general Crawford, major-general Holbourne, col. Greeves, and divers others, did very great service. The earl of Manchester, about 4 o'clock, endeavoured to force a passage through Shaw, a village on the other side of the field where the king's forces lay. Prince Maurice was on that side, and many of the king's best foot, who maintained these passes, although they were bravely assaulted. The earl of Manchester, for want of day light, and by reason of the great guards, did not take the passages; but his employing so many of the king's forces on that side was of great advantage to our other forces. The Battle lasted about 3 hours. They fought at least an hour by moon-shine. The earl of Manchester, and those on the other side, were ignorant of each other's success until the next morning. The earl of Cleveland was taken prisoner, and is sent up to London; and as we are told, colonel Goring's youngest brother was slain. Our side took 9 pieces of ordnance. Capt. Buller, one of my lord-general's captains, was slain: and major-general Skippon guesseth that the number slain on both sides were between 2 and 300. The king's forces were all gone before this morning; but some few carts were left in the field, being so near us that they could not be taken off. All our horse and dragoons, except 1000 which stay with the earl of Manchester, are gone after the king's forces, which, we hear, are retreated towards Wallingford. We desire you to take into consideration how the foot army shall be disposed,

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and how they may be provided for. None of your provisions are as yet come, but we hope will be shortly. We desire to give God the glory of this victory, it being his work, and upon his day. The earl of Manchester marcheth to-morrow to Blewbury. We rest, my lords &c. A. Johnston. Jo. Crew. Newbury, Oct. 28, 1644."

The Earl of Manchester and General Cromwell charge each other with Misconduct at it.] Though this Letter mentions a great victory, yet it seems the parliament did not believe it so; for the next day they kept their monthly Fast with great strictness, and no Thanksgiving was ever ordered upon it: and though some Letters of thanks, for the bravery of particular officers and soldiers at this Battle, follow in the sequel, yet others in high rank were questioned in parliament for misconduct at it; particularly the earl of Manchester, who was charged by lieutenant-general Cromwell "with having betrayed the parliament out of cowardice; for that he might, at the king's last being at Newbury, when he drew off his canon, very easily have defeated his whole army, if he would have permitted it to have been engaged: that he went to the earl, and shewed him evidently how it might be done; and desired him, that he would give him leave, with his own brigade of horse, to charge the king's army in their retreat; and the earl, with the rest of his army might look on, and do as he should think fit; but his lordship had, notwithstanding all importunity used by him and other officers, positively and obstinately refused to permit him."* On the other side, the earl charged Cromwell "with disobedience to his orders; who being commanded, as lieutenant-general of the horse, to be ready at such a place, by such an hour early in the morning, came not till the afternoon; and, by many particulars, made it clear to have been only his fault."† These disputes between the commanding officers gave occasion to the new-modelling of the parliament's forces soon after; whereby the earls of Essex and Manchester, sir Wm. Waller, and many other principal officers were laid aside; and was the foundation of lieutenant-general Cromwell's future great fortune.‡

The lord Paget leaves the King, and petitions the Parliament for Pardon.] We have already taken notice that the lord Paget,‖ who had concurred with the parliament, in all their measures till the breaking out of the war, then left them, joined the king at York, and wrote a letter to the house of lords, setting forth his reasons for doing so: but his lordship, afterwards repenting him of his repentance, surrendered himself to the lord-general Essex at Plymouth: and now, being come to town, addressed the house of lords in the following Petition:

To the Rt. Hon. the Lords and Commons assembled in Parliament, The Humble PETITION of WILLIAM Lord PAGET,

"Sheweth; That the petitioner, being so unhappy as to be misled, hath contracted to himself a great measure of guilt, and justly merited your highest displeasure; yet he rather chose to render himself to your mercy, with the loss of the main part of his fortune, which is since destroyed by the power of the enemy, than to enjoy it out of your protection; or longer to continue where designs are carried on so violently against our religion and laws, and the security of both the power and privilege of parliament, by a factious and ill-affected party, that would build up their own ends and fortunes by the ruin and destruction of the public. Upon these considerations your petitioner resolved to renounce their society, and to return and prostrate his life and fortune at your feet, humbly desiring your honourable pardon, and to be received into your favour; and you may be fully assured that it is his only ambition, with all zeal and constancy, faithfully to serve you, and to obey all your commands, and pray for the happy success of all your great councils and armies at home and abroad. WM. PAGET."

Ordered, That this Petition be sent to the commons, with the lord-general's Letter to this house, concerning the lord Paget.—He was afterwards admitted to compound for his estate.

Nov. 4. A Thanksgiving was appointed, on the intelligence sent of the taking of Liverpool, with other good success in Lancashire, as the taking of 600 horse by colonel Rossiter, &c.

The Dutch Ambassadors repeat their Offer of Mediation to the Parliament.] Nov. 7. The Dutch Ambassadors renewed their application to both houses to accept of their Mediation, and pressed it again warmly, in the following Memorial addressed to the Speaker of the house of lords:

"My lord; We renew again, by these our instances unto the honourable the houses of parliament, begging to have an Answer to our Public Propositions of the 12th of July last; and to understand if the interposition, presented by our lords and superiors, might be acceptable. You may believe, that, being admitted, we shall proceed in it with all fidelity and sincerity; for we suffer in your evils, and prosper in your welfare, being so narrowly joined with you by union of consciences and all other prosperities; which admit of no doubt at all that we should not contribute all that lieth in our power to the strengthening of the true Christian religion, and re-establishing of just and true maxims for the welfare of these kingdoms. The proofs of this you shall have in our good endeavours, when acceptable: and the common interests of religion and state will sufficiently assure your honours, that never a greater and better unity and amity

* Clarendon, vol. 5. p. 561.

† Hollis's Memoirs, p. 18.

‡ Cromwell's Charge and the Earl's Vindication are printed at large in Rushworth, vol. v. p. 732, et seq.

‖ See vol. 2. p. 1388.

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may be expected from any other state, than that which our lords and superiors will strive always to continue between these kingdoms and their republic of the United Provinces."

There is no further notice taken of this Memorial in the Journals; and it is probable, that the parliament chose rather to have the Propositions for Peace come from themselves, than accept of any mediation by others.

The Propositions of Peace, as finally agreed on by both Houses.] Nov. 8. The Propositions for Peace had been the subject of many days debate in the house of commons, and were voted, article by article, and even word by word, before they were wholly concluded on. This day the lords read and passed the said Propositions. We have already given the rough draught of them, as sent up by the committees of both kingdoms in April last: but the alterations, made therein, are so various that it will be necessary to exhibit them in the order they stand, as now perfected, in the Lords Journals.

"We your majesty's loyal subjects, assembled in the parliaments of both your kingdoms, from the sense of that duty we owe unto your majesty, and of the deep sufferings and many miseries under which your people of all your kingdoms lie bleeding in this unnatural war, after long and serious consultation about the best ways and means for their preservation, and for settling your majesty's throne and your subjects in peace and security, have, with common consent, resolved upon these Propositions, which we do humbly tender unto your majesty:

"The Humble DESIRES and PROPOSITIONS for a safe and well-grounded PEACE, agreed upon by the mutual Advice and Consent of the Parliaments of both Kingdoms, united by Solemn League and Covenant, to be presented to his majesty,

"I. That, by act of parliament in each kingdom respectively, all Oaths, Declarations, and Proclamations, against both or either of the houses of the parliament of England, and the late convention of the estates of Scotland, or committees flowing from the parliament or convention of estates in Scotland, or their ordinances and proceedings, or against any for adhering unto them; and all indictments, outlawries, and attainders against any for the said causes, be declared null, suppressed, and forbidden; and that this be publickly intimated in all parish churches within his majesty's dominions, and all other places needful.—II. That his majesty, according to the laudable example of his royal father of happy memory, may be pleased to swear to and sign the late Solemn League and Covenant; and that an act of parliament be passed in both kingdoms respectively, for enjoining the taking thereof by all the subjects of the three kingdoms; and the Ordinances concerning the manner of taking the same in both kingdoms, be confirmed by acts of parliament respectively, with such penalties as, by mutual advice of both kingdoms, shall be agreed upon.—III. That the bill be passed for the utter abolishing and taking away of all archbishops, bishops, their chancellors and commissaries, deans and sub-deans, deans and chapters, archdeacons, canons, and prebendaries; and all chanters, chancellors, treasurers, sub-treasurers, succentors, and sacrists; and all vicars choral and choristers; old vicars and new vicars of any cathedral or collegiate church; and all other their under-officers, out of the church of England and dominion of Wales, and out of the church of Ireland, with such alterations concerning the estates of prelates, as shall agree with the Articles of the late Treaty, of the date at Edinburgh, 29th Nov. 1643, and joint Declarations of both kingdoms.—IV. That the Ordinance concerning the calling and sitting of the Assembly of Divines, be confirmed by act of parliament.—V. That the Reformation of Religion, according to the Covenant, be settled by act of parliament, in such manner as both houses shall agree upon after consultation had with the Assembly of Divines: and forasmuch as both kingdoms are mutually obliged by the same Covenant, to endeavour the nearest conjunction and uniformity in matters of religion, that such unity and uniformity in religion, according to the Covenant, as after consultation had with the divines of both kingdoms, now assembled, shall be jointly agreed upon by both houses of the parliament of England, and by the church and kingdom of Scotland, be confirmed by acts of parliament of both kingdoms respectively.—VI. That for the more effectual disabling Jesuits, Priests, Papists, and Popish Recusants from disturbing the state and eluding the laws, and for the better discovering and speedy conviction of recusants, an Oath be established by act of parliament, to be administred to them, wherein they shall abjure and renounce the Pope's supremacy, the doctrine of transubstantiation, purgatory, worshipping of the consecrated host, crucifixes, and images, and all other popish superstitions and errors; and refusing the said Oath, being tendered in such manner as shall be appointed by the said act, to be sufficient conviction, in law, of recusancy.—VII. An act of parliament for Education of the children of Papists by Protestants, in the Protestant Religion.—VIII. An act for the true levying of the Penalties against them; which penalties to be levied and disposed in such manner as both houses shall agree on; wherein to be provided that his majesty shall have no loss.—IX. That an act be passed in parliament, whereby the practices of Papists against the state may be prevented, and the laws against them duly executed, and a stricter course taken to prevent the saying or hearing of mass in the court, or any other part of this kingdom.—X. The like for the kingdom of Scotland, concerning the four last preceding Propositions, in such manner as the estates of parliament there shall think fit.—XI. That the king do give his royal

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assent to an act for the due Observation of the Lord's Day; And to the bill for the Suppression of Innovations in churches and chapels, in and about the worship of God, and for the better advancement of the preaching of God's holy word in all parts of this kingdom; And to the bill against the enjoying of Pluralities of Benefices by spiritual persons, and, Non-residency; And to an act to be framed and agreed upon by both houses, for the reforming and regulating of both Universities of the colleges of Westminster, Winchester, and Eaton; And to an act in like manner to be agreed upon for the suppressing of Interludes and Stage Plays. This act to be perpetual; And to an act for the taking the Accompts of the kingdom; And to an act to be made for relief of sick and maimed Soldiers, and of poor widows and children of Soldiers; And to such act or acts for raising of Monies, for the payment and satisfying of the Public debts and damages of the kingdom, and other public uses as shall hereafter be agreed on by both houses; And to an act or acts of parliament, for taking away the Court of Wards and Liveries; and all wardships, liveries, primer seisins, and ouster les maines; and all other charges incident or arising for, or by reason of wardship, livery, primer seisin, or ouster les maines; And for the taking away of all Tenures by Homage, and all fines, licenses, seisures, and pardons for alienation, and all other charges incident thereunto; and for turning of all tenures by knight service, either of his majesty or others, or by knight service, or soccage in capite, of his majesty, into free and common soccage: and that his majesty will please to accept, in recompence hereof, 100,000*l.* per Ann. And give assurance of his consenting in the parliament of Scotland, to an act ratyfying the acts of Convention of the Estates of Scotland called by the council and conservatory of peace and the commissioners for the common burdens, and assembled the 22nd of June, 1643, and several times continued since, in such manner, and with such additions, and other acts, as the estates convened in this present parliament shall think convenient.—XII. That an act be passed in the parliaments of both kingdoms respectively, for confirmation of the Treaties passed betwixt the two kingdoms, viz. the large Treaty, the late Treaty for the coming of the Scots army into England, and settling the garrison of Berwick, of the 29th of Nov. 1643, and the Treaty concerning Ireland, of the 6th of August, 1642, with all other Ordinances and Proceedings passed betwixt the two kingdoms, in pursuance of the said Treaties.—XIII. That an act be passed to make void the Cessation of Ireland, and all Treaties with the rebels, without consent of both houses, and to settle the prosecution of the war of Ireland in both houses, to be managed by the joint advice of both kingdoms; and the king to assist, and to do no act to discountenance or molest them therein.—XIV. That an act be passed in the parliament of both kingdoms respectively, for establishing the joint Declaration of both kingdoms, bearing date the 30th of Jan. 1643, in England, and 1644, in Scotland, with the qualifications following; 1. That the persons who shall expect no Pardon be only these following, Rupert and Maurice, count palatines of the Rhine, James Earl of Derby, John E. of Bristol, Wm. E. of Newcastle, Francis lord Cottington, John lord Pawlet, George lord Digby, Edw. lord Littleton, Wm. Laud abp. of Canterbury, Matthew Wren bp. of Ely, sir Rob. Heath, Dr. Brumhall, bishop of Derry, sir John Byron, sir Wm. Wildrington, col. George Goring, Henry Jermyn, esq. sir Ralph Hopton, sir F. Doddington, Mr. Endymion Porter, sir G. Ratcliffe, sir M. Langdale, sir John Hotham, capt. John Hotham his son, sir H. Vaughan, sir F. Windebank, sir Rd. Greenville, Mr. Edw. Hyde, sir John Marley, sir Nich. Cole, sir Tho. Riddel jun. col. Ware, sir John Strangeways, sir John Colepeper, sir Rd. Floyd, John Bodvile, esq Mr. David Jenkins, sir George Strode, sir Alex. Carew, Marquis of Huntley, earl of Montrose, earl of Niddesdale, earl of Traquaire, earl of Carnwath, viscount of Auboyne, lord Ogleby, lord Rae, lord Harris, Lodovick Lindsay sometime earl of Crawford, Patrick Ruthen sometime earl of Forth, James King sometime lord Ethyn, Irving younger of Drum, Gordon younger of Gight, Lesley of Auchintoul, sir Robert Spotiswood of Dunnipace, col. John Cochran, Mr. John Maxwell, sometime pretended bishop of Ross, Mr. Walter Balconqual, and all such others, as being processed by the estates for treason, shall be condemned before the act of oblivion be pass'd. 2. All Papists and Popish Recusants, who have been, now are, or shall be, actually in arms or voluntarily assisting against the parliaments or estates of either kingdom. 3. All persons who have had any hand in the plotting, designing, or assisting the Rebellion in Ireland. 4. That Humphrey Bennet, esq. sir Edw. Ford, sir John Penruddock, sir George Vaughan, sir John Weld, sir Robert Lee, sir John Pate, John Ackland and Edmund Windham, esquires, sir John Fitz-Herbert, sir Edw. Laurence, sir Ralph Dutton, Henry Lingen, esq. sir Wm. Russell of Worcestershire, Tho. Lee of Adlington, esq. sir John Girlington, sir Paul Neal, sir Wm. Thorald, sir Edw. Hussey, sir Tho. Lyddel senior, sir Philip Musgrave, sir John Digby of Nottinghamshire, sir Henry Fletcher, sir Rd. Minshall, Laurence Halsteed and John Denham, esquires, sir Edm. Fortescue, Peter St. Hill, esq. sir Tho. Tildesley, sir H. Griffith, Michael Wharton, esq. sir H. Spiller, sir George Benion, sir Edw. Nicholas, sir Edw. Walgrave, sir Edw. Bishop, sir Robert Owsley, sir John Maney, lord Cholmondely, sir Tho. Aston, sir Lewis Dives, sir Peter Osborne, Samuel Thornton, esq. sir John Lucas, John Blomey, esq sir Tho. Chedle, sir Nich. Kemish, and Hugh Lloyd, esq. and all such of the Scots nation as have concurred in the Votes at Oxford, against the kingdom of Scotland and their proceedings, or have sworn or subscribed

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the Declaration against the Convention and Covenant; and all such as have assisted the Rebellion in the North, or the invasion in the South of the said kingdom of Scotland, or the late invasion made there by the Irish and their adherents; and that the members of either house of parliament, who have not only deserted the parliament, but have also voted both kingdoms traitors, may be removed from his majesty's councils, and be restrained from coming within the verge of the court, and that they may not, without the advice and consent of both kingdoms, bear any office, or have employment concerning the state or commonwealth. And also, that the members of either house of parliament, who have deserted the parliament, and adhered to the enemies thereof, and not rendered themselves before the last of October, 1644, may be removed from his majesty's councils, and be restrained from coming within the verge of the court; and that they may not, without the advice and consent of both houses of parliament, bear any office, or have any employment concerning the state or common-wealth: and in case any of them shall offend therein, to be guilty of high treason, and incapable of any pardon by his majesty, and their estates to be disposed as both houses of parliament in England, or the estates of the parliament of Scotland, respectively, shall think fit. 5. That, by act of parliament, all Judges and Officers towards the law, common or civil, who have deserted the parliament and adhered to the enemies thereof, be made incapable of any place of judicature or office towards the law, common or civil: and that all serjeants, counsellors and attornies, doctors, advocates, and proctors of the law, common or civil, who have deserted the parliament, and adhered to the enemies thereof, be made incapable of any practice in the law, common or civil, either in public or in private: and that they, and likewise all bishops, clergymen, and other ecclesiastical persons, who have deserted the parliament, and adhered to the enemies thereof, shall not be capable of any preferment or employment, either in church or common-wealth, without the advice and consent of both houses of parliament. 6. The persons of all others to be free of all personal censure notwithstanding any act or thing done in or concerning this war, they taking the Covenant. 7. The estates of those persons, excepted in the first three preceding qualifications, to pay public debts and damages. 8. A third part in full value of the estates of the persons made incapable of any employment, as aforesaid, to be employed for the payment of the public debts and damages, according to the Declaration. 9. And likewise a tenth part of the estates of all other delinquents within the Joint Declarations; and in case the estates and proportions aforementioned, shall not suffice for the payment of the public engagements, whereunto they are only to be employed, that then a new proportion may be appointed by the joint advice of both kingdoms, providing it exceed not the one moiety of the estates of the persons made incapable as aforesaid; and that it exceed not a sixth part of the estate of the other delinquents. 10. That the persons and estates of all common soldiers and others of the kingdom of England, who, in lands or goods, be not worth 200*l.* sterling; and the person and estates of all common soldiers, and others of the kingdom of Scotland, who, in lands or goods be not worth 100*l.* sterling, be at liberty and discharged. 11. That an act be passed, whereby the Debts of the kingdom, and the persons of delinquents and the value of their estates, may be known; and which act shall appoint in what manner the confiscations and proportions before mentioned, may be levied and applied to the discharge of the said engagements.—XV. That, by act of parliament the subjects of the kingdom of England may be appointed to be armed, trained, and disciplined in such manner as both houses shall think fit. The like for the kingdom of Scotland, in such manner as the estates of parliament there shall think fit.—XVI. That an act be passed for the settling of the Admiralty and Forces at sea, and for raising such monies for maintenance of the said forces and of the navy, as both houses shall think fit; the like for the kingdom of Scotland, in such manner as the estates of parliament there shall think fit. XVII.—An act for the settling of all Forces both by sea and land, in commissioners to be nominated by both houses of parliament, of persons of known integrity, and such as both kingdoms may confide in, for their faithfulness to religion, and the peace of the kingdoms of the house of peers, and of the house of commons, who shall be removed or altered, from time to time, as both houses shall think fit; and when any shall die, others to be nominated in their places by the said houses: which commissioners shall have power, 1. To suppress any forces raised without authority of both houses, or in the intervals of parliaments, without consent of the said commissioners, to the disturbance of the public peace of the kingdoms, and to suppress any foreign forces that shall invade this kingdom; and that it shall be high treason in any who shall levy any force without such authority or consent, to the disturbance of the public peace of the kingdoms, any commission under the grea seal, or warrant to the contrary notwithstanding; and they to be incapable of any pardon from his majesty, and their estates to be disposed of as both houses shall think fit. 2. To preserve the peace now to be settled, and to prevent all disturbance of the public peace that may arise by occasion of the late troubles. So for the kingdom of Scotland. 3. To have power to send part of themselves, so as they exceed not a third part, or be not under the number of , to reside in the kingdom of Scotland, to assist and vote as single persons with the commissioners of Scotland, in those matters wherein the kingdom of Scotland is only concerned. So for the

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kingdom of Scotland. 4. That the commissioners of both kingdoms may meet as a Joint Committee, as they shall see cause, or send part of themselves as aforesaid, to do as followeth: 1 To preserve the peace betwixt the kingdoms and the king, and every one of them. 2. To prevent the violation of the Articles of Peace as aforesaid, or any troubles arising in the kingdoms by breach of the said Articles, and to hear and determine all differences that may occasion the same according to the Treaty; and to do further according as they shall respectively receive instructions from both houses of parliament in England, or the estates of the parliament of Scotland; and, in the intervals of parliaments, from the commissioners for the preservation of the public peace. 3. To raise and join the forces of both kingdoms to resist all foreign invasions, and to suppress any forces raised within any of the kingdoms, to the disturbance of the public peace of the kingdoms, by any authority under the great seal, or other warrant whatsoever, without consent of both houses of parliament in England, and the estates of the parliament of Scotland, or the said commissioners of that kingdom whereof they are subjects; and that in those cases of joint concernment to both kingdoms, the commissioners to be directed to be there, all or such part as aforesaid, to act and direct as joint commissioners of both kingdoms. 4. To order the war of Ireland, according to the Ordinance of the 12th of April, and to order the Militia, and conserve the peace of the kingdom of Ireland.—XVIII. That his majesty give his assent to what the two kingdoms shall agree upon, in prosecution of the Articles of the Large Treaty, which are not yet finished.—XIX. That, by act of parliament, all peers, made since the day that Edward lord Littleton, then lord-keeper of the great seal, deserted the parliament, and that the said great seal was surreptitiously conveyed away from the parliament, being the 21st day of May 1642, and who shall be hereafter made, shall not sit or vote in the parliament of England, without consent of both houses of parliament; and that all honours and titles conferred on any, without consent of both houses since the 20th of May, 1642, being the day that both houses declared That the king, seduced by wicked counsel, intended to raise war against the parliament, be declared null and void. The like for the kingdom of Scotland, those being excepted whose patents were passed the great seal before the 4th of June, 1644.—XX. That, by act of parliament, the deputy or chief governor, or other governors of Ireland, be nominated by both houses of parliament; or, in the intervals of parliament, by the commissioners to continue during the pleasure of the said houses; or, in the intervals of parliament, during the pleasure of the aforementioned commissioners, to be approved or disallowed by both houses at the next sitting. And that the chancellor or lord-keeper, lord-treasurer, commissioners of the great seal or treasury, lord-warden of the cinque ports, chancellors of the exchequer and duchy, secretaries of state, judges of both benches, and of the exchequer, of the kingdoms of England and Ireland, be nominated by both houses of parliament, to continue quamdiu se bene gesserint; and, in the intervals of parliament, by the afore-mentioned commissioners, to be approved or disallowed by both houses at their next sitting. The like for the kingdom of Scotland, adding the justice-general, and in such manner as the estates in parliament there shall think fit.—XXI. That by act of parliament, the Education of your majesty's Children, and the children of your heirs and successors, be in the true protestant religion; and that their tutors and governors be of known integrity, and be chosen by the parliaments of both kingdoms, or, in the intervals of parliaments, by the afore-named commissioners, to be approved or disallowed by both parliaments at their next setting. And that, if they be males, they be married to such only as are of the true Protestant religion; if they be females, they may not be married but with the advice and consent of both parliaments; or, in the intervals of parliaments, by their commissioners.—XXII. That your majesty will give your royal assent to such ways and means as the parliaments of both kingdoms shall think fitting for the uniting of the Protestant princes; and for the entire restitution and re-establishment of Charles Lodovick, prince elector palatinate, his heirs and successors, to his electoral dignity, rights and dominions; provided that this extend not to prince Rupert or prince Maurice, or the children of either of them, who have been the instruments of so much bloodshed and mischief against both kingdoms. XXIII.—That by act of parliament, the concluding of peace and war with foreign princes and states, be with advice and consent of both parliaments; or, in the intervals of parliaments by their commissioners.—XXIV. That an Act of Oblivion be passed in the parliaments of both kingdoms respectively, relative to the qualifications in the Propositions aforesaid, concerning the Joint Declaration of both kingdoms, with the exception of all murderers, thieves and other offenders, not having relation to the war.—XXV. That the members of both houses of parliament, or others, who have, during this parliament, been put out of any place or office, pension or benefit, for adhering to the parliament, may either be restored thereunto, or otherwise have recompence for the same, upon the humble desire of both houses of parliament. The like for the kingdom of Scotland.—XXVI. That the Armies may be disbanded, at such time and in such manner as shall be agreed upon by the parliaments of both kingdoms, or such as shall be authorized by them to that effect.—XXVII. That an act be passed for the granting and confirming of the charters, customs, liberties and franchises of the city of London notwithstanding any nonuser, misuser or abuser. That the Militia of the city of London may be

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in the ordering and government of the lord mayor, aldermen and commons, in common-council assembled, or such as they shall, from time to time, appoint, whereof the lord mayor and sheriffs for the time being to be three. And that the militia of the parishes without London, and the liberties within the weekly bills of mortality, may be under command of the lord mayor, aldermen and commons, in common-council of the said city, to be ordered in such manner as shall be agreed on and appointed by both houses of parliament. That the Tower of London may be in the government of the city of London, and the chief officer and governor thereof, from time to time, be nominated and removeable by the common council. That the citizens or forces of London shall not be drawn out of the city into any other parts of the kingdom, without their own consent; and that the drawing of their forces into other parts of the kingdom in these distracted times, may not be drawn into example for the future. And for prevention of inconveniences, which may happen by the long intermission of common-councils, it is desired that there be an act, that all bye-laws and ordinances already made, or hereafter to be made, by the lord mayor, aldermen and commons, in common-council assembled, touching the calling, continuing, directing, and regulating of the same, shall be as effectual in law, to all intents and purposes, as if the same were particularly enacted by the authority of parliament: and that the lord mayor, aldermen and commons, in common-council, may add to, or repeal the said Ordinances from time to time as they shall see cause. That such other Propositions as shall be made for the city, for their farther safety, welfare, and government, and shall be approved of by both houses, may be granted and confirmed by act of parliament. Now, therefore we humbly beseech your majesty to grant these Propositions, which are presented for the peace and public good of your kingdoms; and as we therein, according to our trust and duty, have regard to the glory of God, and the quiet and welfare of your people; so shall we really endeavour that your majesty may live in the splendour and glory of your royal ancestors, and which beseemeth your royal place and dignity."

Commissioners appointed to carry the Propositions for Peace to the King.] Nov. 9. This day a report was made, by the earl of Northumberland, of what the committee of both kingdoms had considered as to the manner of sending the Propositions for Peace to the king; That as both the secretaries of state* were persons excepted by the parliament, in the Propositions, they thought it fit that a Letter should be written from the lord-general to the general of the king's army; and a copy of the Letter intended to be sent was read. This was no more than to desire a Safe-Conduct for the members of both houses, appointed to carry these Propositions to the king, and receive his Answer to them, which they were to bring back with all convenient speed. The commissioners named for this purpose were, Basil earl of Denbigh, Wm. lord Maynard, members of the house of peers; Thomas lord viscount Wenman, hon. Denzil Hollis, hon. Wm. Pierpoint and Bulstrode Whitlocke, esqrs. members of the commons; John lord Maitland, sir Ch. Erskin, knt. and Mr. Robert Barclay, from the Estates of the Parliament of Scotland.—The earl of Denbigh, the first of these commissioners, had been questioned by the parliament, on some complaints made against him for his misconduct as an officer in their army; and before the commons would allow him to be a commissioner, they debated all the Articles against him in their house; these Articles were chiefly jealousies against him for favouring delinquents, &c. but which occasioned no less than four divisions of that house in one day; in one of which the question being put, Whether the earl of Denbigh stood clear of any disaffection to the public service, or breach of trust reposed in him by parliament? the numbers were 48 against 33; so that this question passing in the negative, it was first resolved, That the earl of Denbigh should not be sent down to his command in the associated army; but, next, that he was deservedly employed upon the service of going with the Propositions for Peace to his majesty.

Nov. 17. The king having been applied to for a Safe-Conduct to the parliament's commissioners for Peace, this day their lord-general returned it, along with the following Letter from prince Rupert to the lord-general, which was read in the house of lords:

"My lord; I herewithal send your lordship two Safe-Conducts from his majesty, according as is desired by you. His majesty's affections for Peace being such as, although he could never receive any Answer to those gracious invitations to a Treaty, which have been made by him of late, yet he would not lose the least time in retarding his to you, upon so welcome a subject as Propositions for Peace. I shall only add, that his majesty would have been very glad that this overture had been made in such a manner, as that it might, forthwith, have been accompanied with a Cessation of Arms; but, since you have not thought fit to do it in such a way, I shall declare to your lordship, that this message does not set any stop to the proceedings of his majesty's army; and so I rest Your, &c. RUPERT. Marlborough, Nov. 15. 1644."

The Commons resolve to lay a Tax upon Places of Profit.] Nov. 18. At this time it was, that the commons seemed to be so straitened for money, that they came to a Resolution to tax all Places of Profit, especially those that were enjoyed by the members of either house. A large committee was appointed for this purpose; who were to enquire into the value and nature of all the offices and

* Lord Digby and Mr. Nicholas.

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places, and other advantages, bestowed by parliament; who were the persons that enjoyed them; and to consider what allowance was to be made out of them to the persons that execute them, and what to the public.

The King's first Answer to the Commissioners, after their presenting the Propositions for Peace.] Nov. 30. The earl of Denbigh, one of the commissioners for Peace, reported to the lords, "That, according to their commands, he, with the rest, delivered the Propositions to his majesty, for a safe and well-grounded Peace: that, on the 27th instant, they received from the king the following Paper, with these words, 'This is my Answer, 'and you must take it and carry it to those 'that sent you;' which Paper was read in these words:

"C. R. The Propositions, newly presented to his majesty, being very long; and containing matters in them of very great moment and importance, as being, in great part, an alteration of the frame of government, both in church and state; and the messengers, who presented them, declaring that they had no power to treat or to consent to any alteration, it cannot be expected that his majesty should return a present, particular, and positive Answer: but as he hath, from his soul, always desired the settling a happy Peace in this distracted kingdom; and to that purpose hath, from time to time, made all possible overtures; so he hopes that God will so work upon the hearts of all persons concerned, that even this application, such as it is, upon further thought and consideration, may produce some good effects towards it; to the which his majesty calls God to witness, there shall be nothing wanting on his part, which is agreeable to honour, justice, and conscience. There shall all possible expedition be used in preparing his majesty's Answer, which he intends speedily to send by messengers of his own; and, to that purpose, that there may be no loss of time, he desires a Safe-Conduct may be presently sent for the duke of Richmond and the earl of Southampton, with their attendants, to bring up his majesty's said Answer. And his majesty doth heartily wish that God may so deal with him, and his, as he endeavours all just and lawful ways to restore this poor kingdom to a lasting, happy, and blessed Peace. Given at our Court at Oxford, Nov. 24, 1644."

The Report of what passed upon that Occasion, at Oxford.] Dec. 3. The earl of Denbigh further reported, "That he having advised with the rest of the commissioners about the several particulars concerning their delivery of the Propositions to the king, they had drawn up a Narrative thereof, which he presented to the house as follows:

"Upon Saturday the 23rd of Nov. being at Reading, and having notice from the governor of Wallingford, that the king would be that night at Oxford, we sent thence a trumpeter, and some servants with him, to provide our lodgings at Oxford, and a Letter to the governor there to that purpose. Ourselves followed some two hours after; and, when we came near the town, we sent another trumpeter, who sounding near the guards, a file of musketeers came to us, desiring us to tarry there till our lodgings were ready. We staid there some two hours; and then Mr. Killigrew came riding to us, and said, 'His majesty 'knew not that we were there until he came 'into the garden, and saw us where we stood 'upon the hill, and was very angry we staid so 'long; but that he had taken order we should 'be admitted and provided for immediately; 'and that he was come to tell us so.' Just at that time came likewise the lieutenant-governor of Oxford, who brought us into the town, carried us to an Inn, at the sign of the Catherine-Wheel, and told us he had provided some chambers at another Inn, the Star, for the Scots commissioners.—That night we sent to the duke of Richmond, desiring him to acquaint his majesty, that we were a committee sent from the parliament of both kingdoms, with Propositions of Peace; and to know when his majesty would be pleased we should attend him with them: he sent us word, The king had appointed the next day, at 2 o'clock in the afternoon, for us to attend him at Christ-Church, which we did, in the garden there. And, after we had kissed his hand, we presented the Propositions to him, which were read by the earl of Denbigh, and were heard by his majesty with a great deal of patience; so as there being some noise and disorder among the standers-by, upon mentioning the names of the two princes, Rupert and Maurice, amongst the persons excepted out of the general Pardon, his majesty was angry at it; reproved them for it, and commanded them to be silent. The Propositions being read, he asked us, 'If we had power to treat?' We answered, 'We had not: that our commission 'was to present the Propositions, and to desire 'his Answer in writing.' His majesty replied, 'We should have it as soon he could.'—On Wednesday in the evening the earl of Dorset sent a gentleman to us to let us know, 'That 'his majesty had resolved on his Answer, which 'we might receive that night, or in the morning, 'as we would.' Unto which we answered, 'That we were ready to attend his majesty at 'what time he pleased to command us.' The messenger speedily returned, and brought us word, 'His majesty was ready to give us his Answer speedily.' We forthwith attended him at Christ-Church; where his majesty delivered a Paper to one that stood by, and commanded him to read it to us: after the reading whereof, his majesty used these words, as near as we can recollect, 'That he had ever expressed his 'desire of Peace, which did never more appear 'than by giving this Answer; and if he had 'not a great desire to Peace he would not have 'given it.'—Upon hearing the Paper read, the earl of Denbigh, at our desire, did move his majesty that we might withdraw and attend him again presently; upon which his majesty

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demanded, if we had power to treat, and said, 'He knew we had none; for we had told him 'so; that we had received no power from Lon-'don since; and he bid us answer, as persons 'of honour, if we had received any: I know,' says he, 'you have had no post since.' The earl of Denbigh moved again, that we might withdraw for a little time, or have the liberty to attend his majesty again before our return, as conceiving our Instructions would engage us to some reply to the Paper delivered to us. Then his majesty said, 'I will hear any thing 'you have to deliver from London, but none of 'the fancies and chimeras taken up at Oxford, 'by your favour;' and added, 'You shall put no 'tricks upon me.' The earl of Denbigh answered, 'We were not persons to put tricks 'upon any, much less upon his majesty.' The king replied, 'I mean it not to you.' Then, by our advice, the earl of Denbigh desired of his majesty to know, to whom that Paper was directed. The king said, 'It is my Answer; I 'give it to you; it is your duty to take it; you 'may deliver it to them that sent you.' The earl of Denbigh pressing it a second time, the king replied, 'You must take it, if it were a 'Ballad, or a Song of Robin Hood:' and said further, 'You told me twice you had no power 'to treat, my memory is as good as yours, you 'were only to deliver the Propositions; a pos-'tilion might have done as much as you.' The earl of Denbigh replied, 'That was not our 'condition, though we would be glad, in these 'distracted times, to do his majesty and the 'kingdom service in any condition.' His majesty replied, 'I mean it not to your persons.' Then Mr. Hollis said to the king, 'Sir, we had 'in charge to bring the Propositions to you, 'and to desire your Answer in writing, which 'we have, with all humility, done: the reason 'why the earl of Denbigh desired we might 'withdraw, was, that we might consult with our 'Instructions; because the Paper delivered 'unto us hath no direction, and therefore we 'beseech your majesty, to let us know to 'whom it must be delivered;' to which the king said, 'I am not bound to answer that 'question.' Mr. Hollis replied, 'If we can 'have no other Answer, we must carry this.' Then Mr. Pierpoint said, 'Our Instructions 'are only to deliver the Propositions unto your 'majesty, to desire your Answer in writing, 'and to return with it; but in this Paper, de-'livered by your majesty there is a Message.' His majesty to this said, 'That is all one, this 'is my Answer; if it were a Song of Robin 'Hood you must carry it:' and, after a pause he added, 'I desire you to further the procuring 'of the Safe-Conduct, than which you cannot 'do better service to the kingdom. I, and these 'honest men about me, are most desirous of 'Peace: there are three things I will not part 'with, the church, my crown, and my friends, 'and you will have much ado to get any of 'these from me. I will not press you to go pre-'sently, you may, if you will, stay some time; 'but the sooner you send me a Safe-Conduct 'the better.' So we kissed his majesty's hand, and came away to our lodgings. The next morning, Mr. Ashburnham came to the members of both houses, and said, he was sent from the king to every one of them severally, to deliver a Message, which was to this effect, 'That his majesty was sensible some words 'might have fallen from him in his passion, 'that might give discontent; that it was not so 'intended by him: and he desired that the 'best construction might be made of it.' To this they answered, severally, and, afterwards, all together, 'That they took this Message for 'a very great honour, and desired him to ex-'press their humble thanks to his majesty in 'the best language he could.' Afterwards, being ready to take coach, another Message was brought us from his majesty, 'That we 'would tarry a little till a trumpeter might be 'ready to go along with us, who was sent by 'him to bring the Safe-Conduct;' which we did, and accordingly he is come with us for that purpose."

After reading this Narrative, the lords appointed the lord-general Essex, the lord admiral Warwick, the earls of Northumberland, Denbigh, Manchester, and Sarum, the viscount Say and Sele, and the lord North, as a committee to withdraw presently, and consider what was fit to be done upon it, and report their opinion to the house. The result of which was, That after a conference had with the other house about this matter, it was resolved to grant a Safe-conduct to the duke of Richmond and the earl of Southampton and their attendants, to bring from his majesty, to the two houses of parliament, his further Answer to their Propositions; and the rest was referred to the consideration of the committee for the safety of the two kingdoms, who were to deliver their advice about it to the house.—The same day that the earl of Denbigh made the foregoing report to the lords, Mr. Hollis presented a Narrative thereof to the commons, which is entered in their Journals: but all the particulars therein being much more amply related above, we pass this over with observing, That though that house resolved, That they did approve of the proceedings and carriage of their committee, acknowledged the good service performed by them, and returned them all thanks for their faithful management of this business: yet Mr. Hollis* and Mr. Whitlocke† were both questioned afterwards for some private conversation which passed, at this time, between the king and them at Oxford.

Proceedings on Matters of Religion—Complaint against a Preacher for uttering Blasphemy.] The Assembly of Divines had sat all this while, in die ad diem, in Westminster Abby, about a thorough Reformation in Religious Matters; amongst which they had been busy, for some time, in compiling a Directory for the Service of God; and so much of it as

* Memoirs, p. 40. † Memorials, p. 108.

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was done, they presented to the lords. The commons also discussed all these points in their house, in such a manner as they must then have appeared more like a Synod of the Clergy, than the lay representatives of the people: for not a single article, either for ordination of priests, administration of the sacraments, &c. but what was first debated, and then received the sanction of that house. This had continued, by intervals, for several months together. But we shall not meddle with these religious disputes any further than as the parliament was concerned in them, and we find them in their Journals. Those authorities inform us, That the Directory being at last settled by both the Assembly of Divines and the house of commons, it was presented to the lords by the first of these only, for their approbation. On the presentment thereof, Nov. 30, Dr. Burgess, one of the Assembly, delivered in another Paper; which, he said, they all trembled to think on; but, to discharge their duty to God, they could not but reveal it to their lordships. The Paper was read as follows:

Certain BLASPHEMIES delivered in a private House in a Sermon by Thomas Webb, in Queen-street, in Covent-Garden, about Sept. 27, 1644.

"1. That place in Genesis, vi. 6. where it is said, 'God repented that he made man,' was untrue; and so other places of Scripture. 2. That a man is to believe according to his reason; for he that believeth contrary to his reason, it is a lye to himself. 3. That the Prince of the Air, that rules in the children of disobedience, is God; and that there was no other spirit but one, which spirit is God. 4. That we did look for great matters from one crucified at Jerusalem 1600 years ago; but that would do us no good; it must be a Christ formed in us, in the deity united to our humanity. 5. One of his company, before the exercise, endeavoured to prove that Christ doubted when he cried, 'My God, my God, why hast thou 'forsaken me?' One asked him, What he believed Christ came into the world for? He answered, To live 32 years, and to die; and nothing else that he knew of. And Mr. Webb, when he spake of Christ, seemed to speak with derision. 6. He thought once a righteousness without him should have saved him; but his exhortation was, Let your rejoicings be in yourselves and not in another. 7. That we should think of ourselves no better than was meet, for God loved the creature that crept upon the ground as well as the best saint; and he knew no difference between his flesh and the flesh of a toad. 8. He said that a drunkard did the will of God. 9. That the soul died with the body; and that all things should have an end, but that God should remain for ever."

Dr. Burgess further declared, "That Mr. Grange, a man of credit, can prove these particulars, and produce others to make them good." Hereupon the lords ordered, That the gentleman usher attending that house, or his deputy, shall attach Thomas Webb, and bring him forthwith before the lords in parliament, to answer this charge; and then they will proceed against him.

The Parliament's Answer to the Dutch Ambassadors Offer of Mediation.] Dec. 5. The Ambassadors from the States General having now waited, a long time, for an Answer to their Paper formerly delivered to parliament, applied to the lord general for a pass to go to the king at Oxford; with a purpose, as they intimated, not to return again. The lords being told of this, sent a message to the commons to expedite the Answer, which had laid all this time before them; and accordingly it was sent up the next day, read and agreed to as follows:

"The parliament of England do, with all respectful gratitude, acknowledge the great and good affection of the high and mighty lords the States General of the United Provinces, expressed by their Ambassadors, towards the good, peace, and happiness, of these his majesty's dominions and the parliament; as also their friendly offer to interpose, and use their best endeavours for the effecting thereof, in case it be so desired: nor had there been so much time intermitted therein, the maintaining and seeking of Peace having ever been our chief aim, had we not, before this offer of my lords ambassadors, put ourselves in a way of humbly seeking to his majesty to re-obtain a well-grounded Peace, by preparing certain Propositions tending thereunto; which, upon the common interest of both kingdoms, have, until of late, remained in the hands of the States of Scotland; and being returned from thence, are lately sent and presented, by a committee of both kingdoms, to his majesty, from whom we hope to receive a gracious Answer; they tending both to his own, as also his people's good: however, we cannot but express our due sense of the good respect from the high and mighty lords the States General of the United Provinces to this kingdom, in their desires to advance this happy Peace; which will have so great an influence upon the future good or evil of all professing the Protestant religion, and in particular the high and mighty states of the United Provinces; whose prosperity, as our own, we shall, with all true affection, promote."

This Answer was delivered to the Ambassadors, by the house of lords, under the same ceremonies with which their Propositions were received.

The Dutch Ambassadors Remonstrance against the Parliament's last Answer.] Dec. 13. When the States Ambassadors were introduced the last time, they were not suffered to speak, but were told, If they had any thing to say in Answer, the lords would receive it in writing. Accordingly, the following Paper was delivered this day to the house and read; but no further notice was then taken of it:

"The Ambassadors of the United Provinces of the Netherlands, having audience from both the honourable houses of parliament of Eng-

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land, to receive an Answer to their Propositions of the 12th of July last, have received a certain writing from their honours, to which they remonstrate, as follows: 1. That they have sent the said writing to their lords and superiors the States General, &c. who may consider if they find there any Answer to their so amiable and cordial Presentation; but, in the opinion of the said Ambassadors, (for they presented the interposition of the States in order to help forward a good accommodation of the differences between the king and his parliament) it was not expressed clearly and categorically in the said writing, whether the said interposition presented to their honours be convenient and acceptable to them or not. 2. That the Proposition of the said Ambassadors (besides the interposition presented) contained also a demand of restitution and payment of damages of the goods and ships belonging to the subjects of the United Provinces, and taken by the ships and people of the parliament, for which they could not hitherto obtain justice nor a perfect restitution. 3. And lastly, The said Ambassadors, by their said Propositions, have demanded a regulation for the future; which is, That the liberty of navigation and of commerce, be permitted in all the havens, ports, and places of England, Scotland, and Ireland, indifferently and without exception of places: and there being exhibited to the said Ambassadors a certain draught of an Ordinance, they were promised the same should be taken into more mature consideration; and they expected an Answer from the parliament thereupon, before the said Ordinance be put in execution; which the said Ambassadors, yet to this day, expect from the equity of both the honourable houses of parliament. Dec. 12, 1644."

Sir J. Hotham petitions for a Respite of his Execution.] Dec. 14. About this time it was that sir John Hotham and his son, so often mentioned for their fidelity and services to the parliament's cause, were tried by their newly made martial law, for betraying it, and sentenced to death. And this day we find a Petition from the former was presented to the Lords, signifying, 'That he being condemned to die by a court martial,* and Monday the 16th ordered for his execution, he was much straitened in time for the settlement of those things which concern both himself and his estate; and therefore prayed to have more time allowed him.' This Petition was referred to the other house for their concurrence in allowing sir John time for ten days longer; but the messengers finding the commons busy about private affairs, were not admitted; the lords therefore recommend it to the court martial to reprieve him for that time, if they saw no cause to the contrary.

The D. of Richmond and the E. of Southampton bring the King's Answer to the Parliament's Propositions for Peace.] Dec. 16. It was notified to the lords that the duke of Richmond and the earl of Southampton were come to town, with an Answer from the king to the Propositions of both houses; and they desired to know in what manner they should address themselves. On which a committee of 6 lords was appointed to meet with a proportionable number of the commons, to consider of the manner of their reception. This affair being pressing, it was agreed to hear the report in the afternoon. Accordingly, the earl of Northumberland, from the committee, acquainted the lords, That it was their opinion a select committee of both houses should be appointed to receive the two lords in the Painted Chamber, the Scots commissioners to be there also present at 4 o'clock in the afternoon the next day; sir Peter Killigrew to be sent to wait upon them to the place where they were to repose themselves. The manner of sitting in the Painted Chamber, to be thus; the lords commissioners to sit on one side of the table, and the Scots commissioners on the other side; the two lords who came from the king to sit on a short form at the upper end of the table, the committee of the house of commons upon a form behind the lords.

Dec. 17. The report of this reception was made in the house of lords by the lord-general, who said, That the two lords from the king had delivered to the committee two Papers, after an introduction from the duke of Richmond to this effect:

"My lord and gentlemen; We are commanded by his majesty, together with his Answer which we bring, to present to you the assurance of his real and earnest desires of Peace; which, he conceives, cannot so well appear by any expressions in words, as by those proofs his actions shall make, whensoever it shall be put into a way of trial; which he very much desires may be with all speed."

Then the King's Answer was read in hæc verba:

"C. R. His majesty has seriously considered your Propositions; and finds it very difficult, in respect they import so great an alteration in government, both in the church and state, to return a particular and positive Answer before a full debate, wherein those Propositions, and all the necessary explanations and reasons for assenting, dissenting, or qualifying, and all inconveniences and mischiefs which may ensue, and cannot otherwise be so well foreseen, may be discussed and weighed. His majesty therefore proposeth and desireth, as the best expedient for Peace, That you will appoint such a number of persons as you shall think fit, to treat with the like number of persons to be appointed by his majesty, upon the said Propositions, and such other things as shall be proposed by his majesty, for the preservation and defence of the protestant religion, (with due regard to the

* The proceedings against sir John Hotham and his son are at large in Rushworth and Whitlocke.

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ease of tender consciences, as his majesty hath often offered) the rights of the crown, the liberty and property of the subject, and the privileges of parliament; and, upon the whole matter, to conclude a happy and blessed Peace. Given at our Court at Oxon, Dec. 13. 1644."

The Parliament's Reply to the King's Answer.] Dec. 19. The lords went upon the matter of the king's last Message, and it was ordered to send to the house of commons to let them know, That upon consideration of the said Message, the lords thought fit to refer it to the committee of both kingdoms, with the addition of three lords, that they may advise what Answer was fit to be given to it, and to report it to the houses: and that they would appoint a proportionable number of their house for that purpose. The additional lords were the earls of Pembroke and Salisbury, and the lord Howard: but it was afterwards agreed at a conference, That 14 lords and 28 commoners should be a committee, to whom the king's Message was to be referred, and to advise with the Scots commissioners on occasion, for the sake of expedition, that so the messengers sent from the king might speedily return.

Dec. 19. p. m. The earl of Northumberland reported, "That the select committees of both houses have met, and have advised with the Scots commissioners touching the king's Message; and they offer to their lordships consideration their opinion, viz. To report to both houses, that this committee and the commissioners of Scotland are of opinion, that there be a Treaty for a safe and well-grounded Peace; with such Instructions and in such manner as shall be agreed upon by the two houses, and the commissioners for the kingdom of Scotland. And because the committee thinks that, if the two lords sent from the king should stay here until the two houses have resolved of all particulars concerning the manner of the Treaty, it would be too long, and inconveniences would happen thereupon; the committee, with the advice of the commissioners of Scotland, have prepared an Answer to be sent to the king, by the duke of Richmond and the earl of Southampton;" which was offered to the consideration of the houses, and read as follows:

"May it please your excellent majesty; We your majesty's humble and loyal subjects of both kingdoms, have considered of your majesty's Message of the 13th Dec. 1644, sent by the duke of Richmond and the earl of Southampton, directed to the lords and commons assembled in the parl. of England at Westminster, and to the commissioners of the parliament of Scotland now at London; and do, in all humbleness, return this Answer, That we do consent there be a Treaty for a safe and well-grounded Peace; but find that it will require some time to resolve concerning the Instructions and manner of that Treaty: and therefore that your majesty might not be held in suspence, touching our readiness to make use of any opportunity for obtaining such a blessed and happy Peace in all your majesty's dominions, we would not stay your majesty's messengers till we did resolve upon all those particulars; which we will take into our serious consideration, and present our humble desires therein to your majesty, with all convenient speed."

An Ordinance for keeping a Fast on Christmas-Day.] The lords and commons having long since appointed a day for a Fast and Humiliation, which was to be on the last Wednesday in every month, it happening to fall on Christmas day this month, the Assembly of Divines sent to acquaint the lords with it: and, to avoid any inconveniences that might be by some people keeping it as a Feast and others as a Fast, they desired that the parliament would publish a Declaration, the next Lord's day, in the churches of London and Westminster; that that day might be kept as it ought to be, that the whole kingdom might have comfort thereby. The houses agreed to this proposal, and directed the following Ordinance to be published; which bore this title:

An Ordinance for the better observation of the Feast of the Nativity of Christ.

"Whereas some doubts have been raised, whether the next Fast shall be celebrated, because it falleth on the day which, heretofore, was usually called the Feast of the Nativity of our Saviour; the lords and commons do order and ordain that public notice be given, That the Fast appointed to be kept on the last Wednesday in every month, ought to be observed until it be otherwise ordered by both houses: and that this day particularly is to be kept with the more solemn humiliation, because it may call to remembrance our sins and the sins of our forefathers who have turned this Feast, pretending the memory of Christ, into an extreme forgetfulness of him, by giving liberty to carnal and sensual delights; being contrary to the life which Christ himself led here upon earth, and to the spiritual life of Christ in our souls; for the sanctifying and saving whereof Christ was pleased both to take a human life, and to lay it down again."

The lords ordered, That the lord mayor of London take care that this Ordinance should be dispersed to all churches and chapels, within the line of communication and bills of mortality. Afterwards it was made general through the kingdom; in consequence of which Christmas day was no longer observed as a Festival, by law, till the Restoration.

Farther Proceedings in relation to the intended Treaty of Peace.] Dec. 20. The Answer to the king's last Message being now made ready, and signed by the Speakers of both houses, it was ordered to be delivered in the same form the Message was received from those that brought it. Accordingly, the Answer being read to them, the two lords said, They had something to deliver by command from the king, which they delivered in writing, viz.

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" My lords and gentlemen ; We shall obey your commands in presenting this to the king, and withal desire we may present you what we have in command from him. We observed, when we waited on you last, your lordships desired to receive all in writing; in conformity to it, if your lordships please to assign how it shall be received to-morrow morning, we shall accordingly prepare the best we can, to give you satisfaction."—And then the two lords withdrew.

After some debate in both houses it was agreed, That the same committee should receive what the two lords had to deliver further from the king, that afternoon.

Dec. 21. The earl of Northumberland reported to the lords, That the joint committee of both houses, and the commissioners of Scotland, had received from the king's messengers the following Paper, which was read;

" My lords and gentlemen ; We are commanded by his majesty to let you know, that it is his desire, before our going hence, we might receive a resolution to that part of his majesty's desire, expressed in his Message of the 13th Dec. 1644, concerning your treating with him by fit persons to be appointed on either party ; that so, according to what hath been agreed upon, we may have opportunity to offer what else we have in charge from his majesty, in order to the procuring of an happy Peace. But yet his majesty earnestly desires, That the way proposed by him may be agreed unto, as that which he conceives to be the most likely means speedily to draw on an happy and well-grounded Peace; whereas, otherwise, the distance of the place, which his majesty is most likely to reside in, as also many other respects, will extremely lengthen the Treaty, and defer the attaining that happy end, a blessed Peace, which his majesty, above all other things, so earnestly desires ; and consequently be a cause of the further effusion of his subjects blood, besides the many other losses to the kingdom ; which his majesty is so desirous to prevent, that as he will readily do what else shall be requisite on his part, so he will most willingly give such power to the persons imployed by him, as there shall be little or no loss of time upon that occasion. The compassionate sense his majesty hath of the misery and calamity the kingdom doth suffer by this unnatural war, prevailing so far, that he is as earnest in seeking out the remedy, as if he himself were the only sufferer."

Upon receiving this Paper, the committee of both houses, with the concurrence of the commissioners of Scotland, returned this Answer, " We shall presently report this Paper delivered in by your lordships; but we are directed by the houses of parliament to know of your lordships, If you have any thing farther in charge from his majesty to deliver to the houses? If your lordships have, this committee hath power and order now to receive it," The Reply of the duke of Richmond and the earl of Southampton was this; " We conceive that we may have something farther in charge from his majesty to deliver to your lordships, after you shall have declared your Resolution concerning the managing of the Treaty betwixt his majesty and your lordships, by persons on either part; but have nothing else, at this time, to offer."—The earl having ended his Report, and the same having been made to the commons by their committee, it was agreed, that the select committee should deliver the following Answer:

" My lords; The desire expressed in the last Papers given in by your lordships, is a part of his majesty's Message of the 13th of Dec. and concerns the manner of Treaty ; which, according to the Answer already given, will require some time to resolve on : it is therefore the desire of both houses of parliament, and of the commissioners from Scotland, That your lordships would be pleased speedily to make your repair unto his majesty, with the Answer already given to his majesty's Message, brought up by your lordships."

Dec. 23. The Speaker told the house of lords, That the duke of Richmond and the earl of Southampton had sent to desire him to let their lordships know, that they had commands from the king not to depart from thence, after their Answer, till they should hear from him. But notwithstanding this, it seems, by the Journals, that the two lords did remove this day ; for we find an Order of the lords to the lord-general, to appoint an officer to wait on them through the parliament's guards and forces, to see they had no incivilities offered to them. Some time after it was agreed by both houses, That the manner of the treaty might be referred to the committee of 14 lords and 28 commoners, joined with the Scots commissioners as before.

Sir J. Hotham's Petition for a farther Reprieve.] Dec. 24. The lords received the following Petition from sir John Hotham, shewing; " That he being exceedingly sensible that he lies under their lordships just displeasure, besides many other grievous burdens, which hath discomposed his mind from that just temper in which he is desirous to depart this life ; and seeing that his son's Trial is not yet perfected, the doubtful issue of which hath much hindered the settlement of all his affairs, and driven him into great anxiety of mind, whereby their lordships favour of the ten days last reprieve was rendered, in some manner, less fruitful to him ; he therefore humbly prays, that their lordships would grant him such further time as, in their wisdoms, shall seem expedient. JOHN HOTHAM."—The lords sent this Petition down to the commons with a Message, ' That they were willing to condescend to it ; and the rather, because some Divines had certified that sir John was not in any settled state or condition of mind, for his soul's safety, so as yet to die ; and that they had thought fit to reprieve him till the 6th Jan. next, to which they desired the concurrence of that house.' The commons fell into a debate of this matter,

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and the question being put, Whether to agree with the lords? It passed in the negative. But another question being put, Whether to respite the execution of sir John Hotham for any further time? The house divided, and it was carried in the affirmative, 85 against 65, Oliver Cromwell being one of the tellers for the Noes. By this vote sir John got a reprieve for one week longer.

Another Petition from Sir J. Hotham, for sparing either his own, or his Son's Life.—But both are executed.] Dec. 28. Another Petition from sir John Hotham, was read in the lords,

"Humbly shewing; That this honourable house's clemency, already experienced, emboldeneth the petioner to present to their considerations the sad condition of his dejected family; himself and his son being under the heavy sentence of death, and so much the sadder as that they once enjoyed a plentiful measure of their favours; from which, by too many of their own defects, they are now unfortunately fallen. The weight of their lordships just displeasure, under which he now lies, cuts him off from all hopes and claims of former merit, further than what their own free goodness shall intitle him to. He therefore humbly casts himself at their lordships feet, in full submission to their just authority; desiring that, in judgment they will remember mercy; and if such ample measure of their favour, as the petitioner's natural affection, equally prepense to himself and his own bowels, might desire, may not in justice be affordeth to both; yet that his whole family, that was the first that drew their swords in this cause, may not be cut off root and branch; but that a remnant (according as to their just wisdom shall seem most meet) may be left as a monument of this house's clemency to all posterity: and the petitioner, which way soever their lordships favour and wisdom shall incline, shall rest fully satisfied; and shall, in life or death, acknowledge himself ever bound to pray, &c. JOHN HOTHAM."

The house taking this Petition into consideration, and weighing the former merits and good services of sir J. Hotham, it was resolved; That this Petition shall be sent down to the commons, and that they be desired to concur with this house, that sir John's life may be spared. Accordingly,

Dec. 30. The lords renewed their address to the commons, concerning the sparing of sir J. Hotham's life, and desired their Answer speedily, because the next day was assigned for his execution. But no Answer coming, the first thing we find in the Lords Journals of the 31st of this month, is a reprieve entered for sir John Hotham until Saturday, the 4th of January, following. The warrant was directed to the lieutenant of the Tower, the sheriffs of London and Middlesex, to the provost-marshal, &c. Though, on the close of this day, we find that the commons did send a message up to let the lords know, That they saw no cause but that the execution of sir J. Hotham should go on; and accordingly he was executed on the 2nd of Jan., his son capt. John Hotham, having suffered the same fate the day before. The question for sir John's life, or death, was carried for the latter, in the commons, by 94 against 46; general Cromwell was again a teller for it.

Ordinance passed for taking away the Common Prayer.] Jan. 3. An Ordinance for the taking away the Book of Common-Prayer, and establishing and putting in execution the Directory for the public Worship of God, passed the house of lords, having before been sent up to them from the commons; and was ordered to be printed and published.

A Draught of the Manner of Proceeding at the Treaty to be held at Uxbridge.] This day the lord Say and Sele reported from the committee of both kingdoms, That they have prepared a Draught concerning the Manner of the Treaty of Peace, and think fit that the Treaty be held at Uxbridge; and that 4 lords and a proportionable number of the commons be appointed to treat. The said Draught was read accordingly, as follows:

"May it please your most excellent majesty; We your majesty's most loyal subjects the lords and commons assembled in the parliament of England at Westminster, and the commissioners of the parliament of Scotland, do make our further Answer to your majesty's Message of the 13th Dec. last, 1644, concerning the Treaty for Peace, as followeth: We do consent there be a Treaty for a safe and well-grounded Peace between your majesty and the parliaments of both kingdoms; and for the present have appointed Algernon earl of Northumberland, Philip e. of Pembroke and Montgomery, Wm. e. of Salisbury, Basil e. of Denbigh, Tho. lord visc. Wenman, Denzil Hollis, Wm. Pierpoint, sir H. Vane, jun. Oliver St. John, Bulstrode Whitlocke, John Crew, Edm. Prideaux, for the lords and commons assembled in the parliament of England at Westminster; and John earl of Loudon, lord chancellor of Scotland, Archibald Marquis of Argyle, John lord Maitland, John lord Balmerino, sir Archibald Johnston, sir Ch. Erskine, George Dundas, sir John Smith, Mr. Hugh Kennedy, and Mr. Robert Barclay, for the Estates of the Parliament of Scotland, together with Mr. Alex. Henderson, upon the Propositions concerning Religion; who shall be authorized to meet at Uxbridge on the day of with such persons as your majesty shall, under your majesty's sign manual, appoint for that purpose, (not exceeding 16) there to treat of the matters contained in the Propositions we lately sent your majesty, according to such Instructions as shall be given them; and the Propositions for Religion, the Militia, and for Ireland to be first treated upon and agreed; and the time for the Treaty upon the said Propositions for Religion, the Militia, and for Ireland, not to exceed 20 days; and for the things mentioned in your Message to be proposed by your majesty, when the persons sent by your majesty shall communicate the same

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to the committees appointed by us as aforesaid, we have directed them to send the same to us, that they may receive our Instructions what to do therein. And to the end that the persons that are to be sent from your majesty and from us with their retinue, not exceeding the number of 108 on either part, may repair to Uxbridge, stay there, and return at their pleasure without interruption, we desire that mutual Safe-Conducts be granted to the said persons, according to the several lists of their names."

Resolved, That this house doth approve of the Draught now read; that the 4 lords, mentioned therein, be sent to treat; and that this paper be communicated to the commons to desire their concurrence therein.

Ordinance for the Attainder of Abp. Laud.] Jan. 4. The Ordinance for archbishop Laud's Attainder was read a third time in the house of lords, * and agreed to as follows:

"Whereas the knights, citizens, and burgesses of the house of commons, in the present parliament assembled, have, in the name of themselves, and of all the commons of England, impeached William Laud, archbishop of Canterbury, for endeavouring to subvert the fundamental laws and government of the kingdom of England; and, instead thereof, to introduce an arbitrary and tyrannical government against law, and to alter and subvert God's true religion by law established in this realm; and, instead thereof, to set up Popish superstition and idolatry, and to subvert the rights of parliament, and the ancient course of parliamentary proceedings; and, by false and malicious slanders, to incense his majesty against parliaments; for which the said archbishop deserves to undergo the pains and forfeitures of high treason; which said offences have been sufficiently proved against the said archbishop upon his Impeachment: be it therefore ordered and ordained, by the lords and commons in this present parliament assembled, and by the authority of the same, That the said archbishop, for the offences aforesaid, shall stand and be adjudged attainted of high treason, and shall suffer the pains of death; and shall incur all forfeitures, both of lands and goods, as a person attainted of high treason should or ought to do. Provided, That no judge or judges, justice or justices whatsoever, shall judge or interpret any act or thing to be treason, or hear or determine any treason, in any other manner than he or they should or ought to have done before the making of this Ordinance; and as if this Ordinance had never been had or made; saving always unto all and singular persons and bodies politic and corporate, their heirs and successors, (other than the said archbishop and his heirs, and such as claim by, from, or under him) all such right, title, and interest of, in, and to all and singular such of the lands, tenements, and hereditaments, as he, or any of them, had before the first day of this present parliament, any thing herein contained to the contrary notwithstanding."

Jan. 6. The commons being informed, by a message from the lords, that the Ordinance of Attainder was passed, returned an answer to desire their lordships concurrence, that Execution might be done on the body of the archbishop, on the 10th instant; and the proper warrants made out for that purpose, which was agreed to, and orders given accordingly.

The Archbishop tenders the King's Pardon—But is executed.] Jan. 7. The Speaker of the house of lords acquainted them, that he had received a Letter and a box from the archbishop of Canterbury: viz.

For the Right hon. my very good lord, the lord GREY of Warke, Speaker of the right hon. the House of Peers,

"My lord; In the sad condition in which I now am, as I have understood by warrant this day, I could not think to be so wanting to myself as a Christian, or so ungrateful to his majesty's unexpected favour, as not to tender this his gracious Pardon, by your lordship, to that honourable house; humbly conceiving, that neither this his majesty's gracious pardon for me, or for any person, is any way secluded by an Ordinance of either or both houses of parliament: so, laying myself at their feet, I most humbly desire your lordship this pardon may be presented to their honourable consideration, and I shall ever rest, Your Lordship's humble Servant, WILL. CANT. Jan. 6. 1644."

The Pardon, dated April 12, 19 Car. was afterwards read, but no further notice was taken of it at that time. Though, the same day, at a conference with the commons, the lords acquainted that house with the Pardon; but at the same time told them, That this Pardon did no way alter their lordships judgment, but that the archbishop ought to suffer according to it; which he being informed of, sent the following Petition to the lords, setting forth,

"That their lordships poor petitioner is in much affliction for the censure which is passed against him by both the honourable houses of parliament; and much more for it, that he is to leave the world in such a penal way. Yet since his grey head must needs go with this sorrow to its grave, unless the same power shall be honourably pleased, for his age and calling's sake, to alter the punishment, he most humbly prayeth that their lordships will be pleased to give order, that Dr. Marten, Dr. Sterne, Dr. Heywood, or some of them, having been his chaplains, might, by their lordships favour, though they be now prisoners in Ely-House, have liberty to come to comfort and assist him in this time of his affliction; he being desirous not to have any strangers about him at this time, and no other of his acquaintance being at present in London. W. CANT."

The lords, upon this, gave leave that the persons named should attend the archbishop as he desired, provided their keeper should go with them and see them returned to their prisons.

* Lord Clarendon informs us, that there were only twelve lords present at the passing this bill of Attainder.

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And considering the great posts the archbishop had formerly held, their lordships inclined to shew him that favour as to have his head struck off, and not to be hanged. A conference was immediately desired with the commons on these two points, at which we are told, by their Journals, the commons refused the last; and only allowed Dr. Sterne to go to him, attended by Mr. Marshall and Mr. Palmer, two of their own divines, one or both of whom was to be constantly present, whilst Dr. Sterne was with him. However, on the archbishop's petition to the commons the next day, setting forth reasons, from his being a divine, a bishop, one that had the honour to sit in the house of peers, and of the king's most honourable privy council, &c. praying, in those regards, not to be exposed to such an ignominious death, the commons consented to his being beheaded.

Jan. 8. The archbishop addressed the house of lords again, in another Petition, giving their lordships most humble thanks in that they had been pleased to mitigate the severity of his sentence. And further prayed, in regard of his age, his calling, and that he had the honour to sit in sundry parliaments, they would be a means that his body might be left to his servants, to see the same decently interred: which favour, upon the application of the lords to the commons, was at last consented to.

Jan. 10. The last Petition presented to the house of lords, from this unfortunate prelate, was on this day, on which he was beheaded, importing, "That he was not unmindful, nor unthankful, for the late honourable favour of both houses extended to him, which he expressed and did then conceive would be his last request to their lordships. Yet now, in all things summing up himself, as well concerning the outward as inward man; finding his necessities, in regard of the great charge of his imprisonment, had obliged him to contract some small debts beyond that allowance their honourable favours had extended to him out of his sequestered estate; and that he had no means left to bring his body decently to the ground, but to leave it as a charge to his poor servants, who had now in a manner suffered four years imprisonment with him, unrewarded; his humble suit to their lordships (which he knows not whether it would come to their hands before he be no more of this world) was to pray it might be communicated to the honourable house of commons, that as in his allowance whilst he lived, so somewhat might be allotted to answer these humble desires, out of his sequestered estate, by the honourable committee of sequestrations, and that timely, in regard of the disposal of his corpse.

"WILL. CANT."

The lords ordered that this Petition should be sent to the commons, with a desire that they would join with them in referring it to the committee for sequestrations, to give such an allowance for that business as they should think needful. But we do not find that this request of the lords was complied with; for Rushworth informs us, "That his corpse was decently interred, by some of his friends, in Barking church, and the office appointed by the liturgy read over him; which, it is likely, the commons would not have allowed of, had they ordered any money for the expence of his funeral."—The whole Proceedings in this Trial were afterwards ordered, by both houses, to be printed and published, under the direction of Mr. Prynn, with the approbation of the rest of the committee that managed the evidence at it.

PROCEEDINGS RELATIVE TO THE SELF-DENYING ORDINANCE.

We now proceed to the famous Self-denying Ordinance, which quite altered the scene of public affairs, threw the management of the sword into new hands, and was the main foundation of Cromwell's greatness. We shall therefore collect together, in one view, the accounts given us of this extraordinary revolution in politics by the several cotemporary writers.

The Commons take into Consideration the sad Condition of the Kingdom—Speeches of Cromwell, &c. on that Occasion.] Mr. Rushworth tells us, "That on the 9th of Dec. the house of commons having resolved themselves into a grand committee, to consider of the sad Condition of the Kingdom by the Continuance of the War, there was a general silence for a good space of time; many looking one upon another, to see who would break the ice, and speak first in so tender and sharp a point: Amongst whom,

Mr. *Oliver Cromwell* stood up, and spake briefly to this effect: 'That it was now a time to speak, or for ever to hold the tongue; the important occasion being no less than to save a nation out of a bleeding, nay, almost dying, condition, which the long continuance of the war had already brought it into; so that, without a more speedy, vigorous, and effectual prosecution of the war, casting off all lingering proceedings, like soldiers of fortune beyond sea, to spin out a war, we shall make the kingdom weary of us, and hate the name of a parliament: for what do the enemy say? Nay, what do many say that were friends at the beginning of the parliament? Even this, That the members of both houses have got great places and commands, and the sword into their hands; and what by interest in parliament, and what by power in the army, will perpetually continue themselves in grandeur, and not permit the war speedily to end, lest their own power should determine with it. This I speak here to our own faces, it is but what others do utter abroad behind our backs. I am far from reflecting on any; I know the worth of those commanders, members of both houses, who are yet in power; but, if I may speak my conscience, without reflection upon any, I do conceive, if the army be not put into another method, and the war more vigorously prosecuted, the people can bear the war no longer, and will enforce you to a dishonourable peace. But this I would recommend to your prudence,

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not to insist upon any complaint or oversight of any commander in chief, upon any occasion whatsoever; for as I must acknowledge myself guilty of oversights, so I know they can rarely be avoided in military affairs; therefore, waving a strict enquiry into the causes of these things, let us apply ourselves to the remedy which is most necessary: and I hope we have such true English hearts, and zealous affections towards the general weal of our mother country, as no members of either house will scruple to deny themselves and their own private interests for the public good; nor account it to be a dishonour done to them, whatever the parliament shall resolve upon in this weighty matter.'

Another spoke to this purpose: 'Whatever is the matter, which I list not so much to enquire after, two summers are passed over, and we are not saved: our victories (the price of blood invaluable) so gallantly gotten, and, which is more pity, so graciously bestowed, seem to have been put into a bag with holes; for what we won one time we lost at another: the treasure is exhausted; the country wasted. A summer's victory has proved but a winter's story: the game, however, shut up with autumn, was to be new-played again the next spring; as if the blood that has been shed were only to manure the field of war for a more plentiful crop of contention. Men's hearts have failed them with the observation of these things, the cause whereof the parliament has been tender of ravelling into: but men cannot be hindered from venting their opinions privately, and their fears, which are various, and no less variously expressed, concerning which I determine nothing; but this I would say, It is apparent that the forces being under several great commanders, want of good correspondency amongst the chieftains, has oftentimes hindered the public service.'

The Commons resolve, That no Member of Parliament shall hold any Office, Civil or Military.] This debate gave occasion to a Vote, That no member of either house of parliament should, during this war, enjoy or execute any office or command, civil or military, and that an Ordinance should be brought in accordingly. Mr. Whitlocke informs us, "That the motion for bringing in this bill was made by Mr. Tate, who was set on foot by that party who contrived the outing of the lord general, and to bring on their own designs; and they could find no other way, than by passing a Self-denying Ordinance, (as they called it) which would serve their turn, both as a specious pretence of their own integrity, and waving all self-ends, and so plausible to the people; and would also comprehend the lord general Essex with the rest, without naming of him; which, for shame and ingratitude, they could not think fit to be done. That some of them confessed, that this was their design, and it was apparent in itself; and the reason of their doing this was to make way for others, and because they were jealous that the lord general was too much a favourer of peace (a good fault in a general of an army) and that he would be too strong a supporter of monarchy, and of nobility, and other old constitutions, which they had a mind to alter."

A Fast held for the Success thereof.] He adds, "That the parliament having appointed a public Fast to be held on the 13th Dec. both houses kept the same in Lincoln's-inn chapel, and none were present there but the members only; and some said that the preachers desired it might be so, that they might speak the more freely to them, especially upon the point of the Self-denying Ordinance."

Lord Clarendon confirms this account by observing, "That the preachers who were nominated to perform this exercise, were more trusted in the deepest designs than most of those who named them." His lordship then proceeds thus: "When the Fast-day came, which was observed for eight or ten hours together in the churches, the preachers prayed 'the parliament 'might be inspired with those thoughts, as 'might contribute to their honour and reputa-'tion; and that they might preserve that opi-'nion the nation had of their honesty and in-'tegrity, and be without any selfish ends, or 'seeking their own benefit and advantage.' After this preparation by their prayers, the preachers, let their texts be what they would, told them very plainly, 'That it was no won-'der there was such division among them in 'their counsels, when there was no union in 'their hearts: that the parliament lay under 'many reproaches, not only among their ene-'mies, but with their best friends; who were 'the more out of countenance, because they 'found that the aspersions and imputations 'which their enemies had laid upon them, 'were so well grounded, that they could not 'wipe them off: that there was as great pride, 'as great ambition, as many private ends, and 'as little zeal and affection for the public, as 'they had ever imputed to the court: that, 'whilst they pretended, at the public cost, and 'out of the purses of the poor people, to make 'a general reformation, their chief care was to 'grow great and rich themselves; and that 'both the city and kingdom took notice, with 'great anxiety of mind, that all the offices in 'the army, and all the profitable offices of the 'kingdom, were in the hands of the members 'of the two houses of parliament; who, as the 'nation grew poor, as it must needs do under 'such insupportable taxes, grew very rich; and 'would, in a short time, get all the money of 'the kingdom into their hands; and that it 'could not reasonably be expected, that such 'men, who got so much, and enriched them-'selves to that degree, by the continuance of 'the war, would heartily pursue those ways 'which would put an end to it; the end where-'of must put an end to their exorbitant profit.' When they had exaggerated these reproaches, as pathetically as they could, and the sense the people generally had of the corruption of it, even to a despair of ever seeing any end of the calamities they sustained, or having any prospect of that reformation in church and state,

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which they had so often and so solemnly promised to effect, they fell again to their prayers, 'That God would take his own work into his 'hand; and if the instruments he had already 'employed, were not worthy to bring so glo-'rious a design to a conclusion, that he would 'inspire others more fit, who might perfect 'what was begun, and bring the trouble of the 'nation to a godly period.'"

Speeches of Sir H. Vane and Cromwell on that Occasion.] When the two houses met together, the next day after these devout animadversions, there was another spirit appeared in the looks of many of them:

Sir *Henry Vane* told them, 'If ever God had appeared to them, it was in the exercise of yesterday; and that it appeared it proceeded from God, because, as he was credibly informed by many, who had been auditors in other congregations, the same lamentations and discourses had been made in all other churches, as the godly preachers had made before them; which could therefore proceed only from the immediate Spirit of God.' He repeated some things which had been said, upon which he was best prepared to enlarge; and besought them 'to remember their obligations to God and to their country; and that they would free themselves from those just reproaches; which they could do no otherwise, than by divesting themselves of all offices and charges that might bring in the least advantage and profit to themselves; by which only they could make it appear, that they were public-hearted men; and as they paid all taxes and impositions with the rest of the nation, so they gave up all their time to their country's service, without any reward or gratuity.' He told them, 'That the reflections of yesterday, none of which had ever entered upon his spirit before, had raised another reflection in him than had been mentioned; which was, That it had been often taken notice of, and objected by the king himself, that the numbers of the members of parliament, who sat in either house, were too few to give reputation to acts of so great moment as were transacted in their councils; which, though it was no fault of theirs who kept their proper stations, but of those who had deserted their places and their trusts, by being absent from the parliament; yet that, in truth, there were too many absent, though in the service of the house, and by their appointment; and if all the members were obliged to attend the service of the parliament, in the parliament, it would bring great reputation to their numbers, and the people would pay more reverence, and yield a fuller obedience to their commands:' and then concluded, 'That he was ready to accuse himself for one of those who gained by an office he had; and though he was possessed of it before the beginning of the troubles, and owed it not to the favour of the parliament,' (for he had been joined with sir Wm. Russell in the Treasurership of the Navy by the king's grant) 'yet he was ready to lay it down, to be disposed of by the parliament; and wished that the profits thereof might be applied towards the support of the war.' When the ice was thus broke,

Oliver Cromwell, who had not yet arrived at the faculty of speaking with decency and temper, commended the preachers 'For having dealt plainly and impartially, and told them of their faults, which they had been so unwilling to hear of: that there were many things upon which he had never reflected before, yet, upon revolving what had been said, he could not but confess that all was very true; and till there were a perfect reformation in those particulars which had been recommended to them, nothing would prosper that they took in hand: that the parliament had done very wisely, in the entrance into the war, to engage many members of their own in the most dangerous parts of it, that the nation might see that they did not intend to embark them in perils of war, whilst themselves sat securely at home, out of gun-shot, but would march with them where the danger was most threatened; and those honourable persons, who had exposed themselves this way had merited so much of their country, that their memories should be held in perpetual veneration; and whatsoever should be well done after them, would be always imputed to their example: but that God had so blessed their army, that there had grown up with it, and under it, very many excellent officers, who were fitter for much greater charges than they were now possessed of; and desired them not to be terrified with an imagination, that if the highest offices were vacant, they should not be able to put as fit men into them; for, besides, that it was not good to put so much trust in an arm of flesh, as to think such a cause as this depended upon any one man, he did take upon him to assure them, That they had officers in their army, who were fit to be generals in any enterprize in Christendom.' He said, 'He thought nothing so necesary as to purge and vindicate the parliament from the partiality towards their own members;' and made a proffer to lay down his commission of command in the army; and desired, 'That an Ordinance might be prepared, by which it might be made unlawful for any member of either house of parliament, to hold any office or command in the army, or any place or employment in the state; and so concluded with an enlargement upon 'the vices and corruptions which were gotten into the army; the profaneness and impiety, and absence of all religion; the drinking and gaming, and all manner of licence and laziness;' and said plainly, 'That till the whole army were new modelled, and governed under a stricter discipline, they must not expect any notable success in any thing they went about.'

Upon the reading this Ordinance a third time in the house of commons, Dec. 17, it was assented to; but a Proviso being offered to be added to it, That this Ordinance, or any thing therein contained, should not extend to the earl of Essex lord-general, a long debate arose;

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and, being put to the question it was rejected, only by 100 against 93; a small majority in the house for Cromwell to build his hopes on at that time.

Mr. Whitlocke's Speech against the Ordinance.] Mr. Whitlocke observes, "That Cromwell had now got a great ascendency in the house of commons, insomuch, that the lord-general began to be afraid of his power.' He has given us a long dialogue in the night-time, at Essex-house, between the earl, the Scots commissioners, Mr. Hollis, sir Philip Stapylton, sir John Meyrick, Mr. Maynard, and himself *, tending to have Cromwell impeached as an incendiary to the state. But this not being thought proper to venture on that time, the Self-denying Ordinance went on in the house of commons; and a clause being offered to be added, That it should not extend to any lord-lieutenant, their deputies, justices of peace, or commissioners of oyer and terminer, who were members of either house, a debate arose; in which amongst many others, our author spoke against it to this effect:

"Mr. Speaker; I am one of that number of your servants, who have no office or employment, but such as you are now about to except out of this Ordinance †, nor have ambition for any; and therefore may the more freely and indifferently, yet with all submission, humbly offer my reasons against it; as that which I apprehend may prove prejudicial to your service. It hath been objected, That your house, and the house of lords is thin and empty, and you the less esteemed, having so few members here, many of them being employed in offices, that they cannot attend the houses; but that, by this Ordinance, they will be at leisure and liberty to attend the service of the parliament here, and the houses be much fuller than now they are.'—I confess, sir, this is fit to be remedied; but I apprehend you have a fitter way, than by this Ordinance, to do it; that is, by issuing out new writs for electing new members in the places of those who are dead, or expelled; and this will satisfy the objection, and engage divers of interest and quality the more immediately in your service: whereas this Ordinance will discontent many, and the houses will be but little the fuller by the passing of it. Another objection is, That if this ordinance do not pass, the Treaty for Peace will not so well proceed, but the particular interests of members of parliament, may retard the same; which will be all taken away by this Ordinance.' I am to seek how this can be materially objected, when I suppose, whether this Ordinance pass or not, yet you intend members of parliament only to be your commissioners for that Treaty; and in case some of them be officers, they will the better understand your businesses, on which the Treaty will be grounded.—Another objection is, That unless this Ordinance pass, the great work intended of new modelling your armies, will not so well be carried on, for that by putting all out, there will remain no exception.' I should rather have argued, That by putting all members out of their employment, the exception and discontent would be the more general; and by leaving them still in their employments, there would be the less competition and solicitation for new officers in their room.—Another objection or argument is, That the members of parliament, who are officers, being of equal power in parliament, will not be so obedient to your commands, as others who have smaller interests, and would not so much dispute one with another.—Surely, sir, those whose interest is the same with yours, have the more reason to obey your commands than others, and have more to hazard by disobedience than others can have; and in your commands all your members are involved, and it were strange if they should be backward to obey their own orders. Nor will the contests be so frequent and high, between them and other officers, as it will be between those who will be of a more equal condition. But, Mr. Speaker, as you consider the inconveniences if this Ordinance do not pass, so you will be pleased to consider the inconveniences if it do pass. You will lay aside as brave men, and who have served you with as much courage, wisdom, faithfulness, and success, as ever men served their country. Our noble general, with the earls of Denbigh, Warwick, and Manchester; the lords Roberts, Willoughby, and other lords in your armies, besides those in civil offices not excepted; and, of your own members, the lord Grey, lord Fairfax, sir Wm. Waller, lieut. General CROMWELL, Mr. Hollis, sir Philip Stapylton, sir Wm. Brereton, sir John Meyrick, and many others must be laid aside, if you pass this Ordinance. And I am to seek, and I doubt so will they be to whom you shall refer the new modelling of your armies, where to find officers that shall excel, if equal, these. If your judgments are, that, for the public service, it will be expedient to remove any of them from their commands, let the same, if you please, be plainly made known to them from you. Let them have, what they deserve, your thanks for their former good services; and they will not be offended, that you, having no more work for them, do lay them aside with honour. But to do a business of this nature (as hath been well said) by a side-wind, is, in my humble opinion, not so becoming your honour and wisdom, as plainness and gravity, which are ornaments to your actions. I shall conclude with the example of the Grecians and Romans, amongst whom, sir, you know, that the greatest offices, both of war and peace, were conferred upon their senators; and their reasons were, because they, having greater interests than others, were the more capable to do them the greatest service. And having the same interest with the senate,

* Whitlocke's Memoirs. p. 111.

† Alluding, probably, to the office of Attorney of the Duchy of Lancaster, to which Mr. Whitlocke had been appointed by the parliament a few months before.

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and present at their debates, they understood their busines the better; and were less apt to break that trust, which so nearly concerned their private interests, which was involved with the public; and the better they understood their business, the better service might be expected from them. Sir, I humbly submit the application to your judgment; your ancestors did the same; they thought the members of parliament fittest to be employed in the greatest offices: I hope you will be of the same judgment, and not, at this time, to pass this Ordinance, and thereby to discourage your faithful servants."

The Self-denying Ordinance passed by the Commons—But rejected by the Lords.] Mr. Whitlocke proceeds and tells us, "That the debate on this matter lasted till late at night; and then, upon the question, envy and self-ends prevailing, the Ordinance passed the house of commons, and was voted to be sent up to the lords for their concurrence." In this house we find, by their Journals, that it went on very heavily; which occasioned the commons to send several Messages up to desire the lords to expedite this Ordinance; which being read by them twice, a conference was desired with the commons about it. And, in this conference, Jan. 7, the Speaker of the lords was ordered to deliver their Reasons against passing it; which were in these words:

I. "This Ordinance contains matter of importance and an extraordinary nature; and it usually hath been the practice, that Ordinances that have carried with them great alterations, have had such introductions, as have set forth the advantages and necessities thereof, the better to satisfy the world of the justness of our proceedings.—II. The putting every mem- of either house of parliament into an incapacity of holding military or civil offices, during this war, may be of very dangerous consequence; because, how emergent soever the occasion may be, it cannot be altered without deserting of a positive rule imposed upon ourselves; yet that the world, with their own consciences, may bear witness that they are as willing as any others to sacrifice not only their places and offices, but all that is dearest to them, for the good of religion and the kingdom, they are willing that all places, civil and military, shall be disposed of as both houses of parliament shall judge may contribute most for the good of the public, any crime or just exception being given against such as are now intrusted with offices or commands; but they can in no wise consent to put an incapacity upon themselves, and be made in a worse condition than any free subject.—III. As to that part of the Ordinance which does bar the peerage from military commands, both by sea and land, they cannot consent unto it for these reasons: 1. It deprives the peers of that honour which, in all ages, hath been given unto them, (as may appear by many writers) whose part it was to be employed in military commands. It also crosses the constant practice of the peers of England; for our stories make mention that, in all ages, they have been principally active, to the effusion of their blood, and the hazard of their estates and fortunes, in regaining and maintaining the fundamental laws of the land, and the rights and liberties of the subject; nor was there ever any battle fought for those ends, wherein the nobility have not been employed in places of chiefest trust and command: and it doth not only deprive them of their due honour, but lays a blot upon them by this incapacity; which is a punishment usually inflicted upon delinquents, and such as have highly demerited from the parliament. 2. Though some few of the gentry and commons, as members of parliament, are excepted, yet the rest of the gentry and commons of the kingdom may have liberty to discharge their duty, and the honour to carry on this cause without the peers; so that the case is not alike between the two houses in point of excluding the members of both houses from military employment. 3. They have since these unhappy wars, engaged themselves, by Protestation and Covenant, to assist in this cause, as well with their lives as fortunes: but, by this Ordinance, they are wholly disabled to perform any military service; which is contrary to their Protestation and Covenant. 4. The passing this Ordinance, as to the military part, will produce such an alteration in all the armies, as, in apparent probability, must be of very dangerous consequence to the cause in hand, especially in this juncture of time: and therefore, till a new model be propounded to succeed, they cannot but think the present frame better than such a confusion which is like to follow: nor can we tarry long in the expectation of that new model, because the preparation of it is already referred to the consideration of the committee of the two kingdoms, where the commissioners of Scotland will contribute their advice, and receive their satisfaction in it; for since the whole Scots nation are united with us in this great cause, and cannot but extremely suffer in the miscarriage of our armies; and that we have engaged ourselves to them, that the affairs of both kingdoms, in pursuance of our Covenant, shall be managed by the joint advice and direction of both nations, it deserves consideration how far we shall adventure upon so dangerous an attempt, as the introducing of so great a change in the whole management of our war, without our advising or consulting with them."

Jan 9. The commons sent up to desire another free conference with the lords, on the subject of the last; which being agreed to and held, the earl of Manchester made the report of it to the lords, "That the committee of the commons declared, Whereas their lordships had sent down to their house the Reasons why they could not pass the Ordinance for exemption from offices, they say they cannot take them into consideration, because they conceive it contrary to the privileges of parliament;

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and that for these Reasons following: 1. The constant course and privilege of parliament hath ever been, when any Bill or Ordinance hath been sent from one house to the other, that, in case of disagreement, upon alteration or amendment, they have ever sent down the Bill or Ordinance, with the particular amendment or alteration. If the Bill or Ordinance be not sent down, they cannot compare the alterations with the Bill or Ordinance, whereby they may judge how they agree together. 2. And if the amendments or alterations be not particularly expressed, with the part or place of the Ordinance wherein they are to be, mistakes cannot be avoided; nor the way of transacting of Bills or Ordinances in both houses be certain and regular. 3. At the conference, when this Paper was delivered, neither the Ordinance, nor any particular amendments or alterations were delivered; neither, by the paper sent down, doth it appear, that they have agreed to any part of the Ordinance, nor to what part they do disagree; and if the Reasons in this Paper were admitted, no Ordinance would pass at all: and, for these reasons, the house of commons do conceive, That the paper sent down is a breach of the privilege of parliament, and contrary to the constant course of parliament; and, therefore, they cannot take the matter thereof into consideration. The house of commons conceive this Ordinance to be of so high a concern for the public good, as they do desire their lordships concurrence in the speedy passing of it."—Ordered, "That the consideration of this paper brought up now from the house of commons, and the whole business of this Ordinance, be referred to the same committee that was formerly appointed to consider of this business."

Jan. 11. The commons sent up a Message to the lords, to quicken them in passing the foregoing Ordinance; and this day the earl of Manchester reported, from their committee, an Answer to what the commons had last offered, relating to a Breach of Privilege, which was ordered to be communicated to the commons at another conference; and was in these words:

"The lords have considered the Paper delivered by the house of commons, at a conference, the 9th of this month, in Answer to another Paper delivered by the lords, at a like conference, two days before; wherein were contained the Reasons and Grounds of their lordships dissenting from them in the Ordinance for exempting the members of either house from any office, civil or military; and the lords do find that the house of commons have, in their Paper, wholly mistaken the state of the question; for the lords do admit it for truth, what is said by them, 'That, in a Bill 'or Ordinance, when either house makes alte-'ration or amendment, the Bill or Ordinance 'itself is returned together with such alteration 'or amendment; and that, otherwise, mistakes 'cannot be avoided; nor the way of transacting Bills and Ordinances, in both houses, 'be certain and regular;' but their lordships do not understand how this rule hath been broken by them, or that it is at all applicable to the present case; for that they had not then any thought of making alterations or amendments in that Ordinance; and cannot but wonder it should be so far mistaken, since they did (as they conceived) offer strong and satisfactory Reasons against the main body of the Ordinance, so penned; it being such as no amendment or alteration could, in their opinions, make it fit for them to pass, except such as should alter it to be quite another thing; so that it could not be expected their lordships should, together with those Reasons, send down the Ordinance, because the Ordinance and those Reasons could not stand together.—Therefore, whereas it is further expressed, by way of complaint, 'That no particular amendments or alterations were delivered,' that is very true, for their lordships did not then intend it; but, by the way, it is observable that the commons do, by their own saying, clear the lords of the breach of the rule laid down by them in the beginning; for, if the lords delivered no amendments or alterations, they could not be liable to an exception for not sending down the Ordinance; and for what is said besides, 'That if the Reasons be admitted, no Ordinance would pass at all,' that is acknowledged; for, in truth, those Reasons were for that end given, that the Ordinance, so penned, should not pass. But that which their lordships are tenderly affected with, is that other expression, 'That the Paper sent down by them is a Breach of Privilege, and contrary to the constant course of parliament.' Their lordships cannot here be silent, knowing how forward the house of peers hath been (which all the world will witness with them) to afford a yielding compliance to almost all the desires of the house of commons; and how careful not to break any of their privileges, even to the prejudice of some of their own; therefore they desire the commons will reciprocally express some tenderness of them; and not to entertain such an opinion, especially in a particular of this nature, wherein their lordships are strongly persuaded that the commons have formerly delivered a clean contrary sense; for the lords well remember, that when they had rejected an Ordinance sent up by the commons, concerning an oath of Secrecy,* to be taken by the committee of the two kingdoms, not having imparted their Reasons for so doing, before, unto that house, the commons desired a conference upon it; and there it was delivered by a worthy member of that house, Mr. Rouse, That a direct denial seemed to cut off all further consideration and conference concerning the matter proposed; especially where a negative is returned before any Reasons proposed or heard, and which, being heard, might have altered the opinion of either house; which

* See p. 249, of the present volume.

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(as was then said) the commons had the more reason to resent, because the lords, having voted Reasons in their own house, would not vouchsafe to communicate them to the commons. This was the opinion then of the house of commons, who found fault because the lords had thrown out that Ordinance, without communicating their reasons before. The lords have now avoided that which the commons then conceived to be an inconvenience, their lordships being desirous to preserve the good understanding which ought to be between the two houses; and therefore would not cast out this Ordinance, so penned, before they had imparted the Grounds and Reasons of their so doing unto the commons; that either they might so satisfy them with their Reasons, or be satisfied by them with better, and both come to be of one mind; which they desired should be in this, and in all things else, and conceived this to be the ready way to it; not suspecting it possible to be disliked by the commons, especially having been so lately moved unto it by the commons themselves; yet this is now said to be 'a Breach of Privilege of parliament, and contrary to the constant course of parliament.' The lords are very sorry to find their actions so misconstrued, and do assure you they had no such intention, the privileges of parliament being sacred unto them: they are bound, by the Protestation and Covenant, to maintain them, which they have done with the hazard of their lives, and loss of their fortunes; and they wish, with all their hearts, some course were taken by the wisdom of both houses, to search out and ascertain these privileges; that neither house might fail in the observation of their own, and of each other's privileges; so to avoid all inconveniences of this nature between the houses for the time to come."

Jan. 13. The commons sent up another Message to the lords, importing, 'That they had put their lordships often in mind of passing this Ordinance, and that delay would not only prove dangerous but destructive. On which the lords went immediately upon consideration of it; and, after debate, the Ordinance being read a third time, and put to the question, Whether it should pass or not, it was carried in the Negative. After this, the lords ordered their committee to meet and draw up another Ordinance to the same intent, with some restrictions, and report it to the house; but we hear no more of it.

Mr. Whitlocke writes, "That the whole house of commons went up with this last Message to the lords, to importune them to pass this Self-denying Ordinance; and its being rejected was the first thing that began to increase the difference between the two houses, which swelled to so great a height afterwards. And, to shew their resentment in some measure, the lords having agreed to an Ordinance for regulating of free quarter, with this clause added, 'to exempt themselves, their attendants, and the members of the house of commons, from billeting of soldiers,' the latter would not consent to it; they desiring to be in no better condition than their fellow-subjects."

There is nothing material in the Journals now for several days, except some Orders relating to the intended Treaty of Peace at Uxbridge; in which the parliament's commissioners were allowed 80 attendants, and the Scots 30. We shall not enter further into this Treaty; the preliminaries of which, with the consequences and fruitless conclusions, are given at large by Clarendon and Whitlocke; and are also collected into one chapter, in the fifth Volume of Rushworth, and in the King's Works.

The Parliament's Answer to the Dutch Ambassadors last Memorial.] Jan. 17. The States ambassadors had, several times, applied for a clearer Answer to their Proposition of being Mediators between the king and parliament: and, this day, the form of an Answer was read and agreed on by both houses, to be delivered to the Ambassadors by 4 lords and 8 commoners, which was as follows:

"To the first; That the parliament of England have already given such an Answer to that Proposition of the lords the States General of the United Provinces, by which they make offer of their interposition for Peace, as they hope will give unto them full and ample satisfaction, being such as the condition of their affairs would admit; and as they professed it then, so is it still their sense, to set a high estimation upon the great and good affection of those high and mighty lords, so manifestly expressed to them.—To the second; The Proposition made concerning the restitution of ships and damages, was found to concern either the public interest of the state, or the private interest of particular men; those of the first kind were, upon debate, out of respect to the said States General, ordered to be restored; when, for aught appears to the contrary, execution hath been accordingly had: and for damages; as to those it was ordered, That the damages being proved by a legal proceeding, in the high court of admiralty, the parliament would liquidate, and see payment thereof to be made.—For those of the second sort, the houses hold fit that the parties complainants have full liberty to prosecute their interests in the high court of admiralty of England, for such as have not been already sentenced, or by way of appeal for such as have been adjudged there. Wherein the houses, taking notice of the request delivered by the ambassadors, will give command that right shall be done according to the rules of justice. To the third and fourth; That, touching the freedom of commerce and revocation of the Ordinance, both houses of parliament, finding they are matters of very great consequence, have the same under a serious consideration; and will, in convenient time, resolve upon that which shall appertain to justice."

Instructions for the Commissioners appointed for the Treaty at Uxbridge.] Both houses had

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been for some time, very busy in framing Instructions for their Commissioners to act by, at the Treaty; several alterations, additions, &c. had been made in and to them, by both houses and by the Scots commissioners. At last, they were concluded and agreed to as follows:

INSTRUCTIONS for the COMMITTEES of both Houses of Parliament of England, and for the COMMISSIONERS of the Kingdom of Scotland, respectively agreed upon.

I. "You shall repair to Uxbridge, where you, or any ten of you, whereof some of either house of the parliament of England, and some of the commissioners of the kingdom of Scotland to be present, shall treat with the persons sent thither by his majesty, from the 30th of Jan. during the space of 20 days, upon the Propositions concerning Religion, the Militia, and for Ireland, formerly sent to his majesty from his humble and loyal subjects assembled in the parliaments of both kingdoms. II. You shall treat upon the Propositions concerning Religion, the Militia, and Ireland, 3 days a-piece, alternis vicibus, during the space of 20 days; beginning first with the Propositions of Religion, which, as it is of most excellency, so is it to be sought after and finally agreed upon in the first place, before any agreement be made upon any of the other Propositions. III. You shall use your best endeavours that the aforementioned Propositions may be agreed unto, without receding from the matter of them. IV. You shall deliver your demands, and receive Answers to them, in writing. V. The members of both houses of the parliament of England are to give frequent advertisement of their proceedings in this Treaty, to both houses by some of their own members, or otherwise.—By the agreement upon the Propositions for Religion, before a final agreement be made upon any other of the Propositions, we understand the approving of the Covenant, the Directory for public Worship, and the Votes given in by the Assembly of Divines concerning Church Government, and passed the houses; the assenting to the bill against Episcopacy; the ratifying the Ordinance for the calling the Assembly of Divines; and so much as shall pass both houses before the expiring of the 20 days."

REASONS why such Part of the Propositions, as concern Religion, should have precedency before all other.

1. "As the Rule of universal Righteousness prescribeth, that we give unto each one that which is due unto him: so doth the Law of Piety and true Policy require, that Religion which rendereth unto God his due, have the precedency not only in debate, but in determination; and that the House of God according to the example of the wisest of men, be built before our own house. 2. In relation to ourselves; we are first 'to seek the Kingdom of God,' and to prevail for the means for our salvation; having a promise, 'that all other things shall be added;' and a confidence that, from the House of God, blessings shall issue forth upon our own matters. 3. Religion has, upon good reason, the first place in our Solemn League and Covenant; and, upon the same reason, ought to have the first place now in the performing of our vows. 4. All the Reformed Churches, which have their eyes upon us and great hopes from us, will expect this order at our hands; and, according to their intelligence of our proceedings in the matter of Religion, will be comforted or dejected. 5. We cannot express how great an encouragement the settling of Religion will be to the parliament and the national assembly now sitting in Scotland, and to that whole kingdom in their undertaking; and how much it will excite them to maintain religion, once established, and to obtain our other demands, without which religion cannot be preserved. 6. The inverting of this order would obdure the hearts of too many in their error, That religion is not principally intended by us. 7. It might also give hopes to his majesty, that we may be moved, by time, to dispense in some matters of religion, and to part from our conclusions."

Ordinance for New Modelling the Army.] It has already been mentioned, That Cromwell and his party were very industrious to get the earl of Essex discharged from being general of the parliament's army; and they now had interest enough in the house of commons to bring in and carry another Ordinance through that house, under the title of an Ordinance for New Modelling of the Army; but to the same intent as the former. Lord Hollis says, "That this great work had been projected long before, and that Cromwell had broken it to the earl of Manchester in the time of his greatness with him, when he thought him to be one of their own: which was to have an Army composed of those of the Independent Judgment, to interpose if there were like to be a Peace." This Ordinance was sent up to the lords, on the 28th of this month, with a desire of the commons that they would speedily pass it as a thing very conducive to the safety of the nation. The lords read the Ordinance once, and ordered it to be taken into consideration on the 31st, all the lords to be present: but it did not come on as that day, though the commons sent up another message to hasten its progress.

The Commons vote sir Thomas Fairfax to be Commander of the New Modelled Army.] The commons had voted sir Thomas Fairfax to be commander in chief of all the forces, horse and foot, to be raised by the new establishment, and on the new Model, before they sent up the last named Ordinance to the lords, by a majority of 101 against 69. The earl of Clarendon informs us, "That the arguments urged in favour of this appointment were, That sir Tho. Fairfax had behaved himself so signally in their service, in the defeat of colonel Bellasis, and taking him prisoner, which gave them their first footing in Yorkshire, from their being shut up and besieged in Hull; in the overthrow of the lord Byron, and taking all the Irish regiments; and, lastly, in the late battle

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of York, where he had turned the fortune of the day, when the Scots army was routed, and their general fled." And that Cromwell assured them he was very equal to that task. Lord Hollis accounts for this last circumstance, by saying, "That Cromwell was to have the power, sir Thomas Fairfax only the name, of general; he to be the figure, the other the cypher."—The commons having thus nominated their general, they next proceeded to name every colonel for all the regiments in this new Modelled Army, most or all of whom were devoted to Cromwell's interest, as will appear from the sequel. But somewhat to soften the earl of Essex and his friends, it was ordered, at the same time, That the committee for regulating the armies should consider of, and present to the house, some mark of honour, to be set upon the lord-general Essex; and some other recompence to be conferred upon him, to remain as a testimony to posterity, and an acknowledgement from the parliament of England, of the great and faithful services he had done to the parliament and kingdom.

A Conference concerning the Ordinance for new Modelling the Army.] Feb. 11. The commons sent up to the lords to desire a Conference concerning the Ordinance for New Modelling the Army, which being held in the Painted Chamber, Mr. Lisle, a member of the commons, delivered the following Message to the lords:

"My lords, this Conference was desired with your lordships concerning the new Model of the Army, wherein the house of commons doth agree to most of the proviso's which were sent up by your lordships to their house; only they do think fit to offer some alterations to your lordships in the three first Proviso's. They have commanded me to represent their Reasons to your lordships concerning these Alterations: the first alteration is in your lordships first Proviso, which shall be first read. Provided also, 'That all colonels, lieut. colonels, serjeant-majors, and captains, that shall be employed in this Army, may be such as shall be 'nominated, appointed, and approved of by 'both houses of parliament.' The house of commons desire it may be thus amended; Provided also, That the commander in chief, nominated in this Ordinance, shall have power to nominate all colonels, lieut. colonels, serjeant-majors, and all captains, out of any of the forces under the command of the parliament, to be approved of by both houses of parliament. My lords, if you please to observe in this Proviso, thus amended, there be these two alterations. 1. That the commander in chief shall have power to nominate all colonels, lieut. colonels, &c. 2. That he shall have power to nominate the officers out of any of the forces under the command of the parliament. My lords, the house of commons have commanded me to offer these Reasons to your lordships, in maintenance of the first Amendment: They do conceive that, by giving of this power to the commander in chief to nominate his officers, he will more oblige his officers, and better enable them to carry on the work. They do conceive there can be no inconveniency in giving him this power of nominating, in regard that both houses are to approve of the officers nominated by the commander in chief. And they do observe, That the power of nominating officers is no unusual or extraordinary power; for this power of nominating is granted constantly and usually to every commander in chief. My lords, they have commanded me further to offer these Reasons in maintenance of the second Amendment: They do intend principally that these officers shall be nominated, by the commander in chief, but of any of the officers under the command of the parliament, whether out of my lord-general's army, or that under the command of the earl of Manchester, or sir Wm. Waller; and if that clause had not been inserted, we could not have named any of those officers. And the clause is more general, because the commander in chief will have the greater latitude, if he desires to nominate such persons for officers, as he shall think faithful and fitting for the service. Your lordships second Proviso is this: Provided further, That all commanders, officers, and common soldiers, that shall be employed in this army, shall take the solemn League and Covenant of both kingdoms, within 20 days next after publication hereof; and shall submit to the form of church government, that is already voted by both houses of parliament.' My lords, the house of commons desire it may be thus amended: Provided further, That all commanders and officers that shall be employed in this army, and to be approved of by both houses as aforesaid, shall take the National League and Covenant of both kingdoms, within 20 days next after such approbation; and all other officers, to be employed as aforesaid, shall take the said Solemn League and Covenant within 20 days after they shall be listed in the said army: and be it ordained, That all the common soldiers of the army shall likewise take the same at such time, and in such manner, as shall be in that behalf directed by both houses of parliament. Wherein your lordships may observe these alterations: 1. In point of time when the officers shall take the Covenant. 2. In point of time when the common soldiers shall take the Covenant. 3. In leaving out this clause, 'and shall submit to the Form of Church Government, that is already voted by both houses of parliament.' My lords, for the first Amendment they present these reasons: They do observe that in your lordships Proviso, the time is not certainly expressed; for your lordships expression is, 'They shall take the Covenant within 20 days, after the publication thereof;' and therefore, to make it more certain, they have added this clause, 'That they shall take the Covenant within 20 days next after the approbation of both houses;' and not only the commanders and officers, approved by your lordships, but all others shall take the Cove-

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nant; and therefore it is added, 'That all officers whatsoever shall take the Covenant, within 20 days after they shall be listed in the said Army.' My lords, concerning the Amendment of the common soldiers, in point of time, they have made it on this ground; They do conceive you may be inforced to press some soldiers to serve you in this new Model; and if you should be enforced thereunto, these soldiers may make their excuse of not serving the parliament, on pretence they cannot take the Covenant. They do observe besides, That the recruiting of the army is uncertain; they do not know the certain time, and think it not convenient that, before the army be recruited, they should set down any certain time for common soldiers; but that it may be referred to the wisdom of both houses. For the leaving out of the last clause; they conceive that, on this consideration, there can be no advantage by the last clause, if the Covenant be taken according to the intent of this Ordinance. And they leave it out the rather, because the Resolutions of both houses, concerning Church Government, are not yet perfected; nor their Votes yet compleat. I shall now, my lords, read to your lordships the third Proviso. Provided also, 'That every lord-lieu-'tenant shall, in their several and respective 'counties, be of the committees now appointed 'by this Ordinance.' The house of commons do desire that this Proviso may be amended thus: Provided also, That every lord-lieutenant, who is not disabled by Ordinance of parliament to sit in the house of peers, shall, in their several and respective counties, be of the committee now appointed by this Ordinance. Which amendment will stand with so much reason, that they conceive they need not offer any reason for it. To all the rest they agree."

Feb. 13. The lords seem still to have been in no haste to pass this Ordinance, notwithstanding the commons sent up two more Messages to hasten them in it. In the last, Whitlocke says, "That the whole house went up with it, and desired their speedy concurrence to the Ordinance, because no monies were to be raised for the supply of the forces, without the passing of that Ordinance." Upon which the lords took it into consideration again, made some more additions and alterations, and sent them down to the commons; on which they desired another conference with the lords.

Feb. 17. The commons sent up a message to let the lords know, That they did agree with their lordships in the Alterations to the Ordinance for new modelling of the Army. By this Ordinance sir Thomas Fairfax was made general of all the parliament's forces to be raised for the defence of the kingdom; the earl of Essex still continuing, in some sort, general. The Ordinance is of an excessive length in the Journals; specifying all the particular sums to be levied, monthly, on all the counties of England, as well as the commissioners names, who were appointed to take care to see the Ordinance put in execution.

Sir T. Fairfax complimented by the Speaker upon his being appointed General.] Feb. 19. This day sir Thomas Fairfax, the parliament's new general, was called in to the house of commons; where a chair was set on purpose for him, the serjeant standing by with his mace; when the Speaker, by command of the house, addressed him in these words: "Sir; The parliament of England hath commanded up your service hither from the Northern parts: they have heard of your valour, and have had experience thereof for their safety; and have now thought fit to put upon you the greatest trust and confidence, for the security of the kingdom, this house, religion, and liberty, as was ever put into the hands of a subject. They have resolved to put a trust upon you, the command of a very great Army; which they do not intend to employ you in for a matter of discouragement, but will take care such provisions be made to enable you to go on in this great business, that your thoughts shall be solely on action. They are confident of your fidelity, care, and diligence in this cause of God and the kingdom, that now lies at stake: and for the faithful services you have done for the public, I am commanded, by the house, to return you their hearty thanks; and, under God, hope you may be a means to preserve this kingdom: and if you have any propositions to make now, or hereafter, concerning the Army, the house will take them into speedy consideration." There is no Answer put down in the Journals, from sir Thomas Fairfax to this compliment from the chair.

The Treaty at Uxbridge proves abortive.] Feb. 22. The Uxbridge Treaty drawing now near an ineffectual conclusion, two or three Messages were sent from the commons, to desire a free conference with the lords concerning it. In one of the last Propositions from the king's commissioners to the others, they said they were willing to treat with them, how his majesty might, with honour, freedom, and safety, be present with his two houses at Westminster, all armies being first disbanded. In the mean time the lords had agreed, That the earl of Manchester should deliver, at this conference, 'That though this Proposition might carry some specious shew of the king's desire of settling a Peace, by the disbanding of all Armies and coming to his parliament; though they did not conceive any hopes of receiving satisfaction by this Treaty, yet they thought it necessary that the committees of both kingdoms do meet the next day, and consider of something to offer to the houses concerning it: in the mean time, to send to their commissioners at Uxbridge to stay there till further orders." But, before these orders could arrive at Uxbridge, the parliament's commissioners, their time being elapsed, came to London; for we find that, the next day, the Speaker of the house of lords, by command of that house, returned the lords commissioners thanks for their

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great pains and care, expressed in the business of that Treaty; the commons did the same to their commissioners; and both houses joined in desiring them to draw out a series of their proceedings at the Treaty, that it might be forthwith printed and published; which was done accordingly. Thus ended this famous Treaty; the ill success of which, Mr. Whitlocke, one of the parliament's commissioners, says, 'caused much trouble in the minds of many honest men, lovers of the peace of their country."

The Dutch Ambassadors present another Memorial for Peace.] Feb. 24. The States Ambassadors having again desired an audience of the lords, they were this day admitted to it; and one of them delivered by word of mouth, what they had to propose, in French; which being afterwards read by their secretary in English, was left with the lords, and is entered as follows:

"Right Honourable; We have heretofore, as well privately as in public, demonstrated the great desires and sincere endeavours which the high and mighty lords, our lords the States General of the United Provinces constantly continue; that, in a lucky hour, they might see a happy Accommodation between the king and his parliament, and Peace re-established in these kingdoms: and your honours, by your professions by word of mouth, and of late given unto us by writing, the 6th Dec. last past, have not only testified that the said desires and sincere intentions of our lords and superiors were very acceptable unto you; but also you added, That your honours did judge that the said Accommodation and desired Peace, did as highly concern all those that make profession of the true Protestant Religion, and in particular our lords and superiors. All these motives, suppeditated by your honours and our duties, have constantly wrought in us a very great care to fix an eye upon his majesty's proceedings and yours; and now, lately, upon the conference and treaty that at present is in hand at Uxbridge; where his majesty and your commissioners labour, as we hope, with utility, to obtain also the much-desired success. We must also say that, at our being at Oxford, we have received the honour of his majesty's ordering to be communicated to us all the passages of that conference; and, by the one and the other, we have observed, in the first place, That his majesty, above all things, desireth an Accommodation with your honours; and that his majesty entirely inclines to give all manner of content and assurance of his affection, in all things which are just and honourable. In the second place we are informed, That by the Answer to the Propositions of your honours, touching the point of church-government, the personal excesses that might have been committed heretofore, were not to be feared for the future. Thirdly, that if, in the form of government itself, and the exercise thereof, and the jurisdiction therein comprehended heretofore, any thing was to be excepted against, your honours can judge if that be not prevented by means of those offers his Majesty hath made to that end. And notwithstanding, sirs, we have seen that the point of Church-Government was yet behind, and without Accommodation, therefore we have been moved to consider more exactly how your honours, in this point, might desire any other or further satisfaction; and we are obliged to say, That this consideration is fallen out so well, that his majesty hath delivered unto us, and permitted us to communicate unto you, That if your honours are not contented with that which he hath offered, by his commissioners at Uxbridge, unto yours there, that his majesty, out of abundancy, is contented that a National Synod may be called and assembled, and thereunto the deputies of all other Protestant Churches of Europe invited for their advice; which synod shall examine all that which concerns the points of religion in the said government of the English church, that might be contrary to the word of God, whether in part or in general; that his majesty is contented to correct and redress it accordingly; and, by that means, as by a common consent of all those that make the same profession of Faith and Religion, to put a good end to all these present distractions."

Both Houses resolve to borrow Money from the City of London.] March 3. The commons sent up to the lords to desire their concurrence, in offering something to the Common Council of London, which was to meet the next day, for borrowing present Monies; and for their better security, to propose to them, That they shall have power to nominate treasurers for receiving the money, to be raised by the late Ordinances for raising of forces, and have what other security they shall desire. The lords agreed to this, but with an alteration, That it should be at a Common Hall, and not at a Common Council; that a general account of the Treaty may be given to the citizens, by some of the commissioners; and that they may press the ending of that Treaty, as a motive to the city to lend such sums of money as are necessary on this important occasion.

A Remonstrance from the Scots Commissioners, in relation to the new Modelling the Army.] This day the earl of Northumberland presented a Paper to the house of lords, from the Scots Commissioners, concerning the Army; as follows:

"In this conjuncture of time and affairs, such as hath not been since the beginning of this unhappy war, the late solemn Treaty of Peace, after so many prefaces and so long preparations, and after so great hopes and expectation of all sorts of persons, having brought forth nothing towards Peace; but, on the contrary, made manifest that, for any thing we can at present apprehend, the public peace must be settled in another way; and thereby having filled with resolution the minds of men formerly doubtful, we, the commissioners of the king-

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dom of Scotland, from that affection we owe to the public, from the deep sense of the great trust put upon us by that kingdom, and from our zeal, that, all differences and prejudices laid aside, the great work in hand may be, by united council and strength, carried on to a happy period, do find ourselves pressed to represent our thoughts and desires to the wisdom of the honourable houses of parliament. Whereas, for the better managing of this war, wherein both kingdoms, by their joint councils and forces, are engaged; and upon which dependeth the safety of both kingdoms, in their religion, liberties, and lives; the honourable houses, by their late Order, did refer the making a model and frame of the militia, as should be most for the advantage of the public service, to the committee of both kingdoms; wherein also they had made some progress in the point of strength and maintenance of the army; and it hath seemed good since, to the honourable houses, to put the nomination of the commanders and officers into another way; we, according to the common Covenant, Treaty, and interest of both nations (seeing there is nothing in this war so important, as the right constitution of the army; and nothing in the army so considerable, as the right choice of the commanders and officers) do desire, 1. That as the honourable houses have provided, all the officers of the army may take the Solemn League and Covenant; wherein we acknowledge their piety and wisdom, it being the strongest bond both to unite the army with God and amongst themselves; so, in the same piety and wisdom, they make choice of such as are known to be most zealous for reformation of religion, and of that uniformity which both kingdoms are obliged to promote and maintain, with all their endeavours; and whereof the honourable houses, by their Votes, have laid so good a foundation; that so the Votes of the parliament and strength of the army, (which we conceive to be the power and wisdom of the kingdom) may still join in one for the public safety; and that the Scots army, which hath been, and still will be, ready to spill their blood and lives in the common cause, may be encouraged in their undertakings, by their assurance, against all that is or may be said to the contrary, that both armies fight in the same cause and for the same ends; especially for the settling of religion, and defence of that liberty and power, whereby it may be settled and maintained; and that their resolutions be not damped, nor their activity obstructed, by the constitution of the forces here, or any other real evidence of this kind; which, as we are assured, is far from the intention of the honourable houses, so we are confident that their wisdoms will provide against it in the choice of their officers; seeing the commanders and officers are to have so great a charge as is the governing of the ship wherein both kingdoms are embarked in this time of tempest. 2. We desire that the army be not put in worse case, or weakened, by chusing or advancing of such, who, by their education, have not military abilities and experience; or, through the removing of able and expert men of war from the army, or assigning of lower places in the army to such as, by their own merits, and the justice of the parliament, have formerly been more highly honoured; or, by want of such general officers, as the greatest in military science, and longest experienced in war, have found necessary in all compleat and well constituted armies; and, therefore, that there be particular notice taken of every officer's part for so great a trust; and that the army be full and perfect in all the offices, and all the officers thereof; and that with such expedition as the present posture of affairs doth require. 3. Seeing the honourable houses have judged fit to invite the Scots army to come Southward for the public service, and have written to the parliament of Scotland to that effect, referring the particular provisions to be made for their accommodation, to be reported by us; we do again, earnestly, desire to have an Answer to our paper concerning Monies, Arms, Ammunition, &c. that we may send an express with it, who hath been attending here some days, and hath been every day expected by them. We conceive dispatch in this to be the more necessary, being informed that as the enemy is active towards the West, so hath he a considerable strength marching towards the North; which, joining with the other forces that are there already, and such evil-affected persons as there be too many of in those parts, may increase to such strength as may be of dangerous consequence, if not timely prevented. These our serious thoughts and earnest desires, proceeding from the integrity of our hearts, and our sincere affection to the common cause in this time of so great exigence, without prejudice or respect to any man's person, will, we are confident, be taken and interpreted to no other sense by the wisdom of the houses of parliament, or by any person that loveth the public good. By the command of the commissioners for the parliament of Scotland.

" JOHN CHIESLEY."

Shrewsbury and Weymouth taken by the Parliament's Forces.] March 4. Intelligence reached parliament of some great advantages gained by their forces against the king's; particularly of the taking Shrewsbury and the retaking of Weymouth: for which a day of thanksgiving was appointed, the preachers named, and the lord mayor and aldermen invited to meet the two houses of parliament at Christ-Church, to celebrate the day.—A Collection was ordered to be made, the same day, in the churches of London and Westminster, for the relief of the widows, maimed soldiers, and other poor in the towns of Plymouth, Melcombe-Regis, and Weymouth, and for the safety of the West.

The Commons declare that they will support the Rights of the Peerage.] By what has passed lately between the two houses of parliament at

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tlements; but on the contrary, the lords had differed with the commons in many things, which the other thought a great impediment to their labours in the great cause. This had occasioned a rumour, which then prevailed, That the lower house intended to disannul the Peerage.* Upon which the commons thought proper to make the following Declaration, and enter it in their Journals:

"The house of commons taking notice of some unworthy endeavours to asperse the integrity of their proceedings, as aiming at the overthrowing of the Peerage, and undermining the rights and privileges of the Peers, do unanimously declare, That they hold themselves obliged, by the fundamental laws of the land, their several Protestations and Covenant, to preserve the Peerage, with the rights and privileges belonging to the house of peers, equally as their own, and will really perform the same: and as, in the first place, they look to the carrying on that great common cause of religion and liberty, wherein both houses stand mutually engaged; which no respect whatsoever shall make either of them desert, and which they will not, God assisting them, suffer to miscarry; so shall they, to these public ends, be very careful to preserve a right understanding between the two houses; and will maintain the right and honour belonging to the places and persons of the peers of England."

March 24. A conference was held between the two houses, by desire of the commons, at which sir John Evelyn delivered to the lords the foregoing Declaration, and spoke to this effect:—"That the occasion of this conference was upon some expressions of your lordships, at the last, concerning the happy correspondency between both houses, for the better carrying on the great cause now in hand. That it had been the endeavour of the enemy, from the beginning of this parliament, to sow divisions and jealousies between them; but, by the wisdom of the houses, they were prevented. The commons take special notice of a malicious scandal, spread abroad, of overthrowing the Peerage of England, which they do detest and abhor: and say, That if there be any that do dream it necessary to reduce all things to their first principles, and know no way to perfection but by confusion, may their thoughts perish with them! They cannot forget what your lordships noble ancestors have done for purchasing and preserving the liberties of the kingdom; nor will they forget wherein your lordships have out-done them, for the redeeming and recovering of them; wherein your lordships have denied your own safety, plenty, and all your interests, which will ever be acknowledged by the commons. That the commons will endeavour to find out the authors of this scandal upon them, and will desire your lordships concurrence to punish them; the thing in itself being so much contrary to the laws of nature, antient and laudable customs of all nations, grounds of reason and principles of religion, that they hope they shall use no other arguments to satisfy your lordships, than to tell you, That they that sit in the house of commons are gentlemen; and, that it might appear this was a fixed resolution, and no present complimental civility, he was commanded to read this Declaration and leave it with your lordships." Which being read, the lords immediately appointed a committee to consider of this Declaration, and to draw up what they thought fit to return to the commons in Answer to it.

An Ordinance passed by the Commons, for giving additional Power to General Fairfax.] March 29. The commons had passed, and sent up to the lords, an Ordinance for giving some additional Power to sir Thomas Fairfax their new General. The lords read this Ordinance three times, and made one additional clause and two alterations in it, and sent it back to the commons. This created a fresh dispute between the houses; and a conference being held this day about it, the report thereof, to the lords, was, "That the commons looked upon it as an unhappiness, that such a business as this should occasion a difference between the two houses: as to the two Alterations they agreed to the first, but objected to the second, and to the whole additional Clause, concerning the Security of the king's person, &c. the commons conceiving that this addition would dishearten their soldiers, and encourage the king to adventure his person to come at the head of his army into danger, which perhaps otherwise he would not; and make the soldiers judges whether the king defends religion or not. They desired their lordships expedition in this business, as it so much concerns the safety of the kingdoms."

Protests against it in the Lords.] After this Report was made, the lords entered into debate upon it; and the question being put, Whether that house would adhere to the Additional Clause as it was sent down to the commons? The Votes were 10 contents and 9 non-contents; but the lord Say and Sele tendering the earl of Mulgrave's proxy, the votes were thereby made equal.—It does not appear that the Speaker of the house of lords, by a double suffrage, cast this question on either side, but that it stood undecided. For another question was immediately put, Whether to adhere to the Alteration in another clause, concerning forts and garrisons, as sent down to the commons? and it was resolved in the affirmative. The following lords asking leave to enter their dissent before the putting the question, we find it entered accordingly; which is the first Protest of

* Lord Hollis writes, "That General Cromwell declared to the earl of Manchester his hatred of the nobility and house of peers, wishing there was never a lord in England; and saying, He loved such and such, because they loved not lords; and that it would not be well till he was but Mr. Montague." Memoirs, p. 18.

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the lords, with the reasons in form, that we have met with for some years past:

"Their lordships being satisfied with the Reasons the house of commons gave, at the conference this day, why the Alterations made by the house of peers, in that clause concerning the command of Forts and Garrisons, in the Ordinance for Additional Power to sir Tho. Fairfax, should not stand: and being, in an extraordinary manner, sensible of the great prejudice and hazard it may be to the safety of the parliament and kingdom, if, by the insisting upon the said Alteration, there be any delay in passing the said Ordinance; to clear themselves of any inconveniences which may hereby happen, in a business of so great concernment, they have entered their Dissent as aforesaid. Salisbury, Say and Sele, Pembroke and Montgomery, Wharton, Northumberland, H. Kent, Howard, C. Nottingham."

It was ordered, also, that the aforesaid lords should have leave to enter their Dissent to the Question concerning the whole Additional Clause to the Ordinance, whenever it should be carried against their Votes. Then a committee was appointed of those lords, who had voted for adhering to the Alteration, to prepare Reasons for it, to be offered to the commons at the next conference.

March 31. The question concerning the Additional Clause was again put, and the Votes standing exactly as before, ten to nine, were made equal by the earl of Mulgrave's proxy; so that it remained still undecided.

The same day came up a Message from the commons to the lords, importing, "That they had lately sent up an Ordinance for Additional Power to sir Thomas Fairfax, which their lordships had returned with an Addition and Alterations. That the commons sent it up again, with Reasons, to which they have not heard any thing from their lordships. Now the commons had received Letters, this morning, That the Army is in mutiny and disorders, and they know not who to obey till this Ordinance be passed; sir Thomas having no power to do any thing: the house of commons say, "They have done their parts; therefore if any inconveniency comes upon the staying of it, they conceive it will not lie upon them." Mr. Lisle carried up this Message attended by the whole house, the Speaker leaving the chair for that purpose.

The Lords sent first for Answer, 'That they would return one by messengers of their own;' and then sent two to acquaint the commons, 'That they were resolved to sit that afternoon, at four o'clock, about important business concerning the public; and to desire that they would sit likewise, if it stood with their conveniency.' Agreed to.

March 31, p.m. The lords sat in order to determine this affair, if possible; and the question for the lords adhering to the Additional Clause, which was again read, being put, it was once more carried in the affirmative. The lords following entering their dissent, for the reasons given in the last; and to acquit themselves of all inconveniences which might happen in a business of so great concernment. Northumberland, Kent, Pembroke and Montgomery, Say and Sele, Salisbury, Wharton, North, Howard.

Ordered, That the last named committee shall draw up Reasons, to be offered to the commons at a conference, for adhering to the Additional Clause as aforesaid. And in regard it was then late, and the drawing up the Reasons would require some time, the conference was desired to be the next morning at 10 o'clock.

The E. of Essex resigns his Commission of Lord General.] April 1. The earl of Denbigh, one of the committee for the Reasons to be given to the commons, reported them to the house; but the earl of Essex cut this matter short, by desiring that he might have leave to present, and deliver up, his commission to the houses; and so, he said, there would be no obstacle for the passing of the clause, concerning the Forts and Garrisons, to be put under the command of sir Tho. Fairfax. The lords, after this Declaration of the lord generals, retracted all their former Votes and Resolutions; and acquainted the commons at the conference, That they agreed with them in leaving out of the Ordinance the Additional Clause and the Alterations; which plainly proves what the earl of Essex had said, 'That his Commission was the only obstacle that prevented it.'

The Earl's Declaration upon that Occasion.] April 2 The earl of Essex, according to his promise, brought his Commission, as General in Chief, to the lords; and delivered it to them, along with a Declaration, which he desired might be read;* viz.

"My lords; Having received this great charge, in obedience to the commands of both houses, and taken their sword into my hand, I can, with confidence, say, that I have for this now almost 3 years, faithfully served you; and I hope, without loss of honour to myself, or prejudice to the public; supported therein by the goodness of God, and the fidelity and courage of a great many gallant men, both officers and soldiers: but I will neither trouble you, nor myself, by repeating either the difficulties or danger we have overcome, or the service I have done you.—I see by the now coming up of these Ordinances, that it is the desire of the house of commons, that my Commission may be vacated; and it hath been no particular respect to myself (whatever is whispered to the contrary) that hath made me thus long omit to declare my readiness thereto; it being not unknown to divers men of honour, that I had resolved it after the action of Gloucester; but that some importunities (pressed on me with

* Lord Clarendon informs us, "That the earl of Essex had no very plausible faculty of expressing himself, and therefore chose to do it in writing."

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arguments of public advantage, and that by those of unquestionable affection) overruled me therein. I now do it; and return my commission into those hands that gave it me; wishing it may prove as good an expedient to the present distempers, as some will have it believed; which I shall pray for with as hearty zeal as any can desire my doing that which I now do.—I think it not immodest, that I intreat both houses, that those officers of mine, which are now laid by, might have their debentures audited, some considerable part of their arrears paid them for their support, and the remainder secured them by the public faith; and that those of them that remain questioned may be brought to some speedy trial, whereby they may receive either the punishment or justification that is due to them: under which notion, I remember only three; of whom I must testify, that they frankly and courageously have adventured their lives, and lost their blood, for the public; and that with continued fidelity, for ought ever I could observe.—My lords; I know that jealousies cannot be avoided in the unhappy condition of our present affairs: yet wisdom and charity should put such restraints thereto, as not to allow it to become destructive. I hope that this advice from me is not unseasonable, wishing myself, and my friends may, among others, participate the benefit thereof; this proceeding from my affection to the parliament, the prosperity whereof I shall ever wish from my heart, what return soever it bring me; I being no single example, in that kind, of that fortune I now undergo. ESSEX."

The Earls of Manchester and Denbigh resign their Commissions.] Next, the earl of Manchester signified to the lords, "That he having received the honour to be major general of the associated counties of Essex, Hertford, Cambridge, Norfolk, Suffolk, Huntingdon, and Lincoln, by Ordinance of both houses, wherein he had faithfully, to his power, served them; he, perceiving he can be no farther useful to the houses in that way, desires the favour that he may have leave to resign up the said commission to the houses."

Then the earl of Denbigh also signified to the lords, "That he having received authority from the houses of parliament to be chief commander in the associated counties of Warwick, Salop, and Stafford; wherein he hath endeavoured to discharge his duty faithfully; and, as affairs are now disposed, his lordship cannot be further useful in that way, he desires he may have leave to resign up his commission to the houses again."

Hereupon the lords appointed a committee, to consider what course was fit to be taken, for the satisfaction of those officers that will be out of employment by the earls of Essex, Manchester, and Denbigh's having surrendered their commissions; and to report the same to the House. It was also ordered, That the Declarations of the said earls be communicated to the Commons at a conference.

Declaration of both Houses in Favour of these three Earls.] The same day the lord Wharton reported from that committee what they conceived fit to offer on that occasion; which was read and approved, as follows:—"The earls of Essex, Denbigh, and Manchester, having this day, in the house of lords, tendered and laid down their commissions, that house desired this conference to acquaint the commons therewith; and that the lords have accepted thereof, in which the concurrence of the commons is desired, their commissions being derived from the authority of both houses. And the house doth hereby further declare their sense, That they look upon this action of these lords, in this conjuncture of time, as a fit testimony of their duty to the houses of parliament, under whom they have so long served in so eminent employment. And the house of peers also desire, that their services and fortunes may be taken into consideration, in such a way as may, according to their several merits, express the acceptance and value both houses have of their faithfulness and industry, in the commands and hazards they have undergone for the public good of the kingdom and safety of the parliament. And this house doth propound to the house of commons, that some speedy course may be taken and declared, that the officers which are laid aside, who have served under any of these three lords, may have satisfaction in the point of their arrears, by the payment of some part thereof for their support, and security for the remainder on the public faith."—To all these proposals the commons gave their assent, and appointed a committee accordingly.

The Lords pass the Self-denying Ordinance.] April 3. To strengthen the good agreement between the two houses, the lords read a third time and passed the Self-denying Ordinance, for discharging the members of both houses from enjoying any office military or civil, unanimously; and resolved to have a conference with the other house to acquaint them with it; at which conference the lord Say and Seal delivered himself in this manner:—"The lords have passed the Ordinance sent up by you, for discharging the members of both houses from all offices, both military and civil, without any addition or alteration, to prevent delays: this Ordinance being passed, the lords think fit to propound that those places in the kingdom, which the nobility usually heretofore have been intrusted with, as the Great Seal, that of the Revenue, and the Admiralty and Navy, being now managed by committees, those committees may consist of members of both houses, as the power they exercise is derived from both: to this end they desire, that the Great Seal may be continued in the hands of those lords and commons who are now intrusted with it; that a proportionable number of lords may be added to the committee for the Revenue; that the Admiralty and Navy may be settled in a committee of lords and commons, chosen for that purpose; and, lastly, that this may be done

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by Ordinance of parliament, to continue for six months."

The ORDINANCE was as follows:

"Be it ordained by the lords and commons assembled in parliament, That all and every of the members of either house of parliament shall be, and, by authority of this Ordinance, are, discharged, at the end of 40 days after the passing of this Ordinance, of and from all and every office or command military or civil, granted or conferred by both or either of the said houses of this present parliament, or by any authority derived from both or either of them, since the 20th of Nov. 1640.—And be it further ordained, That all other governors and commanders of any islands, town, castle or fort, and all other colonels, and officers inferior to colonels in the several armies, not being members of either of the said houses of parliament, shall, according to their respective commissions, continue in their several places and commands wherein they were employed and intrusted the 20th of March, 1644, as if this Ordinance had not been made. And that the vice-admiral, rear-admiral, and all other captains, and other inferior officers in the fleet, shall, according to their several and respective commissions, continue in their several places and commands wherein they were employed and intrusted the said 20th of March, 1644, as if this Ordinance had not been made.—Provided always, and it is further ordained and declared, That during this war, the benefit of all offices, being neither military nor judicial, hereafter to be granted, or any way to be appointed to any person or persons by both or either house of parliament, or by authority derived from thence, shall go, and enure to such public uses, as both houses of parliament shall appoint; and the grantees and persons, executing all such offices, shall be accountable to the parliament for all the profits and perquisites thereof. and shall have no profit out of any such office, other than a competent salary for the execution of the same, in such manner as both houses of parliament shall order and ordain.—Provided, That this Ordinance shall not extend to take away the power and authority of any lieutenancy, or deputy-lieutenancy, in the several counties, cities or places; or of any Custos Rotulorum, or of any commission for justice of peace, or sewers, or any commission of oyer and terminer, or goal-delivery.—Provided always, and it is hereby declared, That those members of either house, who had offices by grant from his majesty before this parliament, and were by his majesty displaced sitting this parliament, and have since, by authority of both houses, been restored, shall not, by this Ordinance, be discharged from their said offices or profits thereof, but shall enjoy the same; any thing in this Ordinance to the contrary thereof notwithstanding."

The Lords Answer to the Commons' Declaration in regard to the Peerage.] April 4. The earl of Northumberland, from the committee appointed to consider of the Declaration of the commons in regard to the preservation of the Peerage, and what was to be delivered at a conference about it, read the following Paper, which was agreed to by the whole house:

"The lords taking into consideration the seasonable and acceptable Declaration, which the house of commons lately made with respect to the Peers, have thought fit to let you know, that, notwithstanding some discourses that pass frequently about this town, they could never suspect that the house of commons, composed of so many gentlemen of antient families, would do any act to the prejudice of the nobility of England; so as, upon this assurance which you have given them by this Declaration, they do rest fully satisfied of the house of commons real intention to maintain the rights, privileges, and honours belonging to the places and persons of the peers; which doth not only encourage them chearfully to join with you in hazarding their lives and fortunes, for the carrying on of this common cause, wherein both houses and the whole kingdom are now so deeply engaged; but will, by the blessing of God, prove the most effectual and certain means so firmly to unite the houses, and settle so perfect an understanding between them, as shall frustrate the endeavours of all those who seek to misinform, asperse, or divide the houses; and may, probably, soonest deliver the kingdom from the miseries which they suffer by this unnatural war: and the lords do desire the house of commons to be assured, that they will be as tender of any thing that concerns the house of commons, as they can be of their own honour and just rights."

Ordinance for an Oath to be taken by all that come in to the Protection of the Parliament.] April 5. The lords read a third time and passed an Ordinance, 'For enabling the commissioners of the great seal, and the other committees in their several counties, to tender an Oath to all such persons, of what degree or quality soever, that should come in to the Protection of the Parliament.' By this Ordinance, every person, that had lived within the king's quarters, or been aiding, assisting, or adhering unto the forces raised against the parliament, and had or should come to inhabit or reside under the power and protection of the parliament, was required to take the following Oath:

"I, A. B. do swear from my heart, that I will not, directly nor indirectly, adhere unto or willingly assist the king in this war, or in this cause, against the parliament, nor any forces raised, without the consent of the two houses of parliament, in this cause or war. And I do likewise swear, That my coming and submitting myself under the power and protection of the parliament, is without any manner of design whatsoever to the prejudice of the proceedings of the two houses of this present parliament; and without the direction, privity, or advice of the king, or any of his council or officers, other than what I have now made known. So help me God, and the contents of this book."

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Within a few days after the passing of this Ordinance, the following peers, who had left the king's quarters at Oxford, came to London, and took this Oath before the commissioners of the great seal, viz. the earls of Leicester, Bedford, Clare, Holland, Thanet, Monmouth, Carlisle, and Westmoreland; with the lords Paget, Rich, Coventry, and Saville.

The Earl of Warwick's Declaration on surrendering his Commission of Lord-Admiral.] April 9. The earl of Warwick signified to the lords, That as he had received the honour from the parliament to be Admiral of England, so he, as willingly, desired leave of that house to surrender his Commission; which he did accordingly, with this Declaration:

"My lords; Being lately in Kent, to speed out the fleet, that an easterly wind might not prevent their seasonable getting out of the river; and receiving notice of an Ordinance of parliament, whereby the members of both houses, holding offices under their authority, stand discharged after the end of 40 days, I thought it my duty (after my giving in charge to the captains then in those parts to be faithful to their trust) to make my return back, that I might testify my chearful compliance with the houses resolution. While I have had the honour to serve the parliament in the great trust by them reposed in me, both since my being lord-admiral and before, I have endeavoured to perform my duty with fidelity and diligence; being acted therein by no other design, but a desire to advance God's glory, and my country's service: and my endeavours, though accompanied with those common infirmities that are incident to men, have, through the blessing and goodness of God, not been without some visible advantage to the public; being made instrumental to preserve the parliament's interest in the Fleet, when it was laboured, by letters and commands, under the broad seal, from his majesty, to be turned against them: and some service hath accrued to the state by the relieving our friends, and interception of supplies intended to the enemy, besides those less observable preventions of danger, which, without a vigilant eye, might have infested the kingdom.—But as I did, in obedience to the command of both houses, receive, and hitherto manage, that employment; so did my heart, with all possible readiness, submit to their pleasure, so soon as it was held forth in that Ordinance: and therefore, in testification of that high and honourable esteem that I owe, and sincerely bear, to their wisdoms, I do, with all humility and chearfulness, resign and surrender into their hands the office of Lord-Admiral, wherewith they were pleased formerly to intrust me: and shall value it as my highest honour and contentment, next to my God, to be serviceable to them and my country, in any other condition whereinto his providence shall cast me; not counting my person nor dearest interests too precious to be laid out in maintenance of that great cause of religion and liberty, wherein they are so justly engaged. And, in all their resolutions, my faithful and ready concurrence shall demonstrate to all the world, that my highest ambition is no other, than to contribute my best endeavours for their service; and that I am resolved to stand and fall with them in the upholding God's truth and the public liberty; knowing well, by many years experience, that the welfare of this kingdom cannot subsist without God's blessing in the preservation and safety of the parliament; which I here present as the real and candid expressions of a mind full of integrity and humble respect towards them. And I shall join my prayers, together with my utmost assistances, that as God hath thus far honoured them with doing of great services to his name, so he will continue to shine upon their councils, until this shaken kingdom be established upon a lasting, honourable, and holy foundation. WARWICK."

This Declaration being read, the lords ordered it to be delivered, at a conference, to the commons; which was done the next day, with an introduction in the same words as that before to the earl of Essex. Both houses also passed the same complimentary Vote on this lord as on the last resigning lords; and this office of lord high admiral was, soon after, put under commissioners of both houses, by an Ordinance made for that purpose.

The Dutch Ambassadors Speech at taking Leave of the Parliament.] April 10. The Ambassadors from the States of Holland had been now a long time in England, without effecting any thing in their Mediation for Peace, between the king and parliament; they therefore desired an audience of leave from the latter, which was this day granted them by the lords; at which they spoke, and afterwards delivered, in French, the following Memorial. There is a translation of it entered in the Lords Journals, but it is very incorrect. The following is taken from a copy of the times, translated by their Excellencies secretary:* and we find, by the Commons Journals, that complaint having been made to that house of the printing this translation, it appeared to have been done by the Ambassadors orders, at which the commons took great offence, as will appear hereafter.

The SPEECH of the STATES Ambassadors Extraordinary, at their taking leave of the Parliament,

"Right honourable; Two things have moved our lords and superiors to send us their ambassadors extraordinary into this kingdom, viz. Their duty, and your service. The first consisted in their power, and in the resentment of the present distractions; the other being altogether in your choice to accept, if you should like of it. We have long ago, and divers times, spoken unto your honours of the one and the other; as likewise unto the king, who hath

* Translated by Stephen Taylor, and printed for Robert Bostock, in Paul's Church-yard, April 16, 1645.

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honoured so much our state, as to have accepted the offers of our interposition. But we are still with your honours upon the same terms we were at the beginning, without any certitude or likelihood to be accepted. We have already obtained our leave from the king, and have left his majesty full of good-will and disposition for a just and reasonable Accommodation; likewise we parted from him well satisfied concerning the point of the Evangelic-Protestant Religion, upon the offers he hath lately permitted us to make.—And as concerning the royal rights or prerogatives, the liberties and privileges of this kingdom, and the parliament, and of all the subjects, no doubt when that his majesty shall be satisfied, he will also satisfy every one.—But, sirs, we can stay no longer here, unless your honours accept of our interposition, without which we are useless; and from hence it is our lords and superiors have charged us, in such a case, to take our leave and return to our own home. In performance of which last duty, we are here come before you, assuring you, we shall never cease to wish unto this heretofore flourishing kingdom, an Accommodation and Peace; which is, and ever will be as profitable as necessary."

State of the Parliament's Army under the Command of Sir Tho. Fairfax.] April 23. A List, of the pay and entertainment of the Army under the command of sir Tho. Fairfax, was read and agreed to by the lords. In this List are included all the general officers of the field and train; 11 regiments of horse, 12 of foot, with a regiment of dragoons and all their officers; the total sum per annum, for maintaining this army, amounted to 623,523*l.* 12*s.* There are various ways pointed out, in the Journals, for raising the money for maintaining this army, by many heavy taxations on all who were subject to the power of parliament: nor could the king do otherwise in his quarters, for the support of his forces and garrisons; which, as it appears from Rushworth, were, at the beginning of this campaign, much more numerous and better stationed than those of his adversaries.

April 28. A Vote passed both houses for sending sir Thomas Fairfax and his army into the West of England; particularly for the relief of Taunton, then closely besieged by the king's forces. But, some days after, on the news that prince Rupert and Maurice, with general Goring, had joined their forces and were come near Oxford, the parliament ordered sir Tho. Fairfax to be recalled from his march to the West, and to keep nearer home till further orders.

General Cromwell's Account of his Success in Oxfordshire.] The committee of both kingdoms reported to the lords a Letter they had received from lieutenant-general Cromwell, concerning the defeat of some forces of the king's under colonel Windebank, as follows:

"My lords and gentlemen; According to your lordships appointment, I have attended your service in these parts, and have not had so fit an opportunity to give you an Account as now: so soon as I received your commands, I appointed a rendezvous at Watlington; the body being come up I marched to Wheatley Bridge, having sent before to major-general Browne for intelligence; and it being market-day at Oxford, from whence I likewise hoped by some of the market people to gain notice where the enemy was. Towards night I received certain notice by major-general Browne, that the carriages were not stirred, that prince Maurice was not here, and by some Oxford scholars, that there are 4 carriages and waggons ready in one place, and in another 5, all (as I conceived) fit for a march. I received notice also that the earl of Northampton's regiment was quartered at Islip; wherefore, in the evening, I marched that way, hoping to have surprized them; but, by the mistake and failing of the forlorn hope, they had an alarm there, and to all their quarters, and so escaped me, by means whereof they had time to draw all together. I kept my body all night at Islip, and, in the morning, a party of the earl of Northampton's regiment, the lord Wilmot's and the queen's, came to make an infall upon me. Sir Thomas Fairfax's regiment was the first that took the field, the rest drew out with all possible speed; that which is the general's troop charged a whole squadron of the enemy, and presently broke it; our other troops coming seasonably on, the rest of the enemy were presently put into confusion; so that we had the chase of them 3 or 4 miles; wherein we killed many, and took near 200 prisoners, and about 400 horse: many of them escaped towards Oxford and Woodstock, divers were drowned, and others got into a strong house in Bletchington, belonging to sir Tho. Cogan, wherein colonel Windebank kept a garrison with near 200 men, whom I presently summoned; and, after a long Treaty, he went out about 12 at night, with these terms here inclosed, leaving us between 2 and 300 muskets, besides horse, arms, and other ammunition, and about threescore and eleven horses more.—This was the mercy of God, and nothing more due than a real acknowledgment; and though I have had greater mercies, yet none clearer; because, in the first, God brought them to our hands when we looked not for them; and delivered them out of our hands, when we laid a reasonable design to surprize them, and which we carefully endeavoured. His mercy appears in this also, that I did much doubt the storming of the house, it being strong and well manned, and I having few dragoons, and this being not my business; and yet we got it. I hope you will pardon me if I say, God is not enough owned; we look too much to men and visible helps; this hath much hindered our success; but I hope God will direct all to acknowledge him, alone, in all. Your most humble Servant, OLIVER CROMWELL. Bletchington, April 25, 1645."

The king so much resented this surrender,

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so near Oxford, that colonel Windebank, the commander of this party, was afterwards tried by a court-martial, condemned for cowardice and treachery, and shot at Oxford for it.

General Cromwell continued in his Command in the Army, notwithstanding the Self-denying Ordinance.] May 10. The parliament proceeded to name all the officers that were to serve in their different garrisons, according to their late Self-denying Ordinance; a long account of which is in the Journals. But we find that general Cromwell, though a member of the house of commons, was ordered to continue in his command for 40 days longer; his last advices shewing that he was of signal service to the cause. "This dispensation," says Mr. Whitlocke, "was much spoken against by the earl of Essex's party, as a breach of that Ordinance, and a discovery of their intentions to continue whom they pleased and to remove others from command, notwithstanding their former Self-denying pretences."

How accounted for by the Contemporary Historians.] Lord Hollis writes, "That this continuance of Cromwell's command in the army was so gross and diametrically against the letter of the Self-denying Ordinance, that it put them to some trouble how to bring it about. For this, says he, Cromwell's soldiers, forsooth, must mutiny, and say, They will have their Cromwell, or they will not stir. Hereupon he must be sent down. Yet for these very men had Cromwell undertaken before, when, upon debate, the inconveniency was objected which might follow by discontenting the common soldiers, who would hardly be drawn to leave their old officers and go under new, he could say, 'That his soldiers had learnt to obey the 'parliament, to go or stay, fight or lay by the 'sword upon their command;' which prevailed with a great many to give their Vote with that Ordinance. By this trick a little beginning was made towards the breach of it, which was soon made greater: for they caused a report to be spread, That the king was bending with his forces towards the Isle of Ely, which none could save but Cromwell, who must be sent in all haste for that service, and an order of dispensation is made for a very few months; but with such protestations of that party, that this was only for that exigency, and that for the world they would not have the Ordinance impeached; that Mr. Solicitor* said, 'If no 'body would move for calling him home at 'the expiration of that time, he would.' But all this was to gull the house. Mr. Solicitor had forgot his protestation, and before that was out there is another Order for more months, and so renewed from time to time; that, at last, this great commander is riveted in the army, and so fast riveted, as after all his orders of continuance were at an end, he would keep his command still, notwithstanding that Ordinance, without any order at all of the house for it."

Lord Clarendon also gives the following account of Cromwell's dextrous management on this occasion, "As soon as the Self-denying Ordinance was passed, and before the resignation of the earl of Essex, the party that steered had caused Cromwell to be sent with a body of horse into the West to relieve Taunton, that he might be absent at the time when the other officers delivered their commissions; which was quickly observed, and thereupon orders were given, to require his present attendance in parliament, and that their new general should send some other officer to attend that service; which was pretended to be done, and the very day named, by which it was averred that he would be in the house. A rendezvous was then appointed, for their new general to take a view of their troops, that he might appoint officers to succeed those who had left their commands by virtue of the Ordinance; and likewise in their places who gave up their commands, and refused to serve in the new model, who were a great number of their best commanders. From this rendezvous the general sent to desire the parliament, 'that they would give lieut. general Cromwell leave to stay with him for some few days, for his better information, without which he should not be able to perform what they expected from him.' The request seeming so seasonable, and being for so short a time, little opposition was made to it; and shortly after, by another letter, he desired with very much earnestness, 'that they would allow Cromwell to serve for that campaign.' Thus they compassed their whole design, in being rid of all those whose affections they knew were not agreeable to theirs, and keeping Cromwell in command; who in the name of Fairfax, modelled the army, and placed such officers as were well known to him, and to no body else, and absolutely governed the whole martial affairs."

The E. of Warwick delivers to the Lords the State of the Fleet.] May 13. The earl of Warwick reported to the lords, 'That some of the parliament's ships had taken a vessel, in which was found a commission from the king to grant licences to all states to take up ships to be employed against the parliament: there was also another commission read, taken at the same time, constituting sir N. De Wit chief commander of a fleet of 6 ships or more, to do all possible damage and hostility, in commerce or navigation, to every of his majesty's subjects, who were or should be then in rebellion against him.' Upon which, the earl was ordered to give the house the State of the Fleet, as it was then, in order to obviate the dangers threatened by these two commissions. Next day, the said earl delivered in the following Paper:

"My lords; In obedience to your lordships command, I do present unto you the State of the Fleet now at sea, as followeth: The number of

* Oliver St. John, esq. afterwards Lord Chief Justice of the Common Bench in Cromwell's Protectorate.

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ships and vessels provided for this summer's expedition (besides 6 for guard of the fishermen and colliers) are 49, whereof about 10 are small vessels; and, of them, some of little other use but as pacquet-boats; which Ships and Vessels are thus to be disposed, viz. For a guard of the Irish seas, 9; whereof 2 are pacquet-boats; one employed remote on the North-west of Ireland. For the Scots Guard, in pursuance of the Treaty, 7; besides one more that is to be taken up. Designed to the blocking up of Bristol, 7; whereof 3 taken out of the other sqadrons, and 4 additional, besides 2 shallops, and 2 other shallops for Weymouth. At Guernsey, for safeguard thereof, and blocking up Castle-Cornet, 3. For convoy at the Downs, less cannot attend than 5. There will be through the whole expedition, in port, to revictual, repair, go up with prizes, &c. by estimation, 5; in toto, 37. So there will rest 13, upon which the performance of these services will necessarily depend, viz. The attendance of the enemies ports in the West and North of England; the appointing of ships to lie before Ostend, Dunkirk, Newport, St. Malo, &c. to intercept ammunition, &c. the encouragement and relieving of the parliament's ports; the plying at sea, from the North of England to the Land's-End Westward; the preventing and resisting of affronts for maintaining the sovereignty of the seas.—And, considering the daily and great losses of our merchants by sea; the number of ships employed against the parliament, under pretence of his majesty's commission; the further preparation of shipping in Holland, Ostend, and other parts of Flanders, to infest the trade of this kingdom; and that, if the enemy continue to disturb the trade of the kingdom, and seize our ships, the enemy will be thereby furnished with a considerable fleet from ourselves; the Customs and Excise, whereby the preparations both by sea and land are maintained, will be much withdrawn; the merchants will be impoverished in their estates, and discouraged in their trade; the mariners will be partly necessitated, through want of employment here, and partly encouraged by the profitableness of employment elsewhere, to betake themselves to foreign services. I shall be bold therefore humbly to offer to consideration, Whether the public service of the kingdom will not suffer, if a greater number of ships be not provided and set forth."

When this Memorial was read in the house of commons, they next proceeded to name a commander in chief, or vice-admiral of the Fleet, for this summer's expedition, and appointed captain Batten for that expedition*. And the question being proposed, Whether the lords concurrence should be desired to this Order? It passed in the negative by only 41 against 39.

The Parliament resolve to besiege Oxford.] May 17. The commons sent up a Message to the lords, to let their lordships know, "That the house of commons, out of a desire to put an end to this miserable war, do think it fit that Siege be laid to the city of Oxford, for the taking it, it being the center of our troubles. There being a considerable strength of Scots and English in the North, to hinder the king's army from going Northward, and able to give him battle; likewise affairs are of that good posture in the West, as to give battle to any forces there; so that it will conduce most to the ending of the war to send a sufficient force to besiege Oxford; to that purpose the commons desire their lordships concurrence for the approving this design, for the speedy reducing of Oxford; and that the city of London, at a common council, be acquainted therewith, by some other members of both houses, on Tuesday next, at three in the afternoon; and the reason of this design urged, and their concurrent assistance desired: and further to desire their lordships would nominate some of their house to go to the common council, that they may nominate a proportionable number. And because that men and money are the only sinews to carry on this design, they have framed a copy of a letter to be sent to the several counties who are behind in their payments of the assessments for the maintenance of sir Thomas Fairfax's Army, and to further the recruiting of that army; and desire it may be referred to the committee of both kingdoms to send away those Letters."

Pursuant to this, the lords having given their concurrence, the Siege of Oxford was commenced; which, however, at that time, proved of no effect.

The Parliament's Remonstrance to the Dutch, relating to the Conduct of their Ambassadors.] May 28. The following Declaration was published by order of both houses, on occasion of the conduct of the States Ambassadors Extraordinary, which, as we before took notice, (p. 358) had given great offence to the parliament:

To the High and Mighty Lords the STATES GENERAL of the United Provinces of the Netherlands.

"High and mighty lords; We the lords and commons of England, in parliament assembled, do, with all thankfulness, acknowledge your Christian and neighbourly zeal to the peace of this nation, wherefrom we doubt not, and from no other consideration, you were pleased to employ Boreel of Amsterdam, and De Reed of Utrecht, both made knights, and afterwards Barons, by the king, as your Ambassadors for inviting him to return to his duty, and for restoring us to a better confidence of his future carriage: notwithstanding your fair intentions, (which perhaps, being well managed might have produced happy effects) we must not conceal from you, that your ministers have grossly

* This captain had distinguished himself against the king in several instances, and had also the command of the ships which fired upon the house where the Queen lodged when she landed at Bridlington. See p. 89.

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abused their trust, to our prejudice, in making themselves rather interested parties than public agents; and to shew that not only you have been deceived, but we despised and affronted by them, we think fit to present the inclosed * to your consideration, wherein they were not satisfied to reproach us to our faces, and to take upon them to judge the quarrel against us, except they gloried in it by making their boldness public, and increasing it by the addition of their own authority. Other particulars concerning the same persons we have here authorized these bearers (unto whom we desire credence may be given) to relate unto you, and demand justice upon them, in our behalf: upon the whole matter, we do not doubt but that you, who very well know how much more ill there is in war than in oppression, will either afford your best assistance in suppressing tyranny and preserving our religion, or at least be indifferent spectators of our labours to deliver ourselves: and, God be blessed for it, our condition is not yet so low but that we can resent, if not return, both courtesies and injuries; which we therefore add, because we know it will be comfortable to our friends to hear, and because we desire to give a testimony thereof, if it shall please you to express unto us wherein we may be useful to your States, our honoured neighbours and Predecessors, in the like sufferings."

The great Successes of the King's Army.] June 1. The campaign being now opened, the king's forces, at the beginning of it, gained greatly on the parliament. His majesty took the field in person, and soon after, general Fairfax laid siege to Oxford; but, upon the taking of Leicester by storm, by the king's forces, together with some other fortresses, deserted by the parliament, orders were sent to Fairfax to raise the siege. These, with some other advantages, as the raising the siege of Chester, &c. made the royal army seem so formidable, at this time, as if nothing could withstand it.

Petition from the City of London to the House of Lords on that Occasion.] To shew in what terror and consternation the city of London was then in, we subjoin the following Petition from the Magistrates of that body, read in the house of lords on the 5th of this month.

To the Right Honourable the Lords now assembled in the High Court of Parliament, The PETITION of the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled,

"Humbly sheweth; That the inhabitants of this city, and parts adjacent, are generally most deeply sensible of those pressing miseries, under which they and the whole kingdom now groan, and that imminent ruin which is coming upon both through the relieving of Chester, and the inexpressible loss of Liecester, the barbarous cruelty executed there, the danger of the rest of our garrisons well-affected thereabouts, and the increasing and prevailing of the enemy, both by sea and land, like a mighty torrent: that, among other causes which have had a deep influence upon this sad posture of our condition, the said inhabitants apprehend that the not compleating of sir Thomas Fairfax's army, according to an Ordinance of parliament in that behalf; the want of such a committee in that army, as may give our commanders in chief power and encouragement to improve all present advantage, without attending commands and directions from remote councils; the calling back of lieut. gen. Cromwell and major-gen. Browne, when they were pursuing the enemy; the not advancing of our brethren in Scotland into these Southern parts; the great decay of trade and discouragement of merchants, for want of a constant convoy; his majesty's publishing his case of the proceedings at the late Treaty, and the parliament not publishing their sense thereof, and their resolution against free trade, by sea, to such ports as are, or shall be, in the power of the enemy, have been the chief.—That great numbers of those inhabitants have lately expressed their earnest desires, by Petition and otherwise, to the representative body of the city, in common council assembled, that this their deep sense and apprehensions might forthwith be made known to both houses of parliament; their humble suit, that the remedies might speedily be considered of, and effectually executed; and their resolutions, according to all former expressions, that they will not think their lives, or any thing they possess, too dear to hazard for their encouragement and preservation.—Therefore, the petitioners, for preventing of further miseries, inconveniences, and utter ruin of the parliament, this city, and kingdom, make it their humble request to this honourable house, that care may be taken for the speedy recruiting of sir Thomas Fairfax's Army. And, for his encouragement, that such a committee may be sent to that army, as may give the commanders in chief, of whose faithfulness the kingdom hath had such large testimonies, power and encouragement to improve all present advantage as aforesaid; that the said army, or such part thereof as your wisdoms shall think meet, may be ordered forthwith to march towards our enemies in the field, as well for the regaining of Leicester, if it be possible, before it be made impregnable by fortifications, as also for prevention of the enemy's further surprizing of other places of strength, and destroying the rest who have appeared in defence of the parliament, and for preservation of the kingdom; that our brethren of Scotland may be the more earnestly pressed to march Southwards; that lieut. general Cromwell may presently have power to raise and command the Association, until such other course be taken as may attend the safety of those counties, and of the city and kingdom; that the navy may be so ordered as may encourage

* The Ambassadors Speech at their Audience of leave, before given, at p. 358.

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merchants and advance trade, by having constant convoys; that the proceedings at the late Treaty may be forthwith published by the parliament, and their resolutions against free trade as aforesaid, And the petitioners, as in duty bound, shall ever pray, &c. MICHEL."

The earls of Northumberland and Manchester, and the lord Roberts, were appointed to draw up what Answer was fit to be returned to this Petition pursuant to the sense of the house.

June 5. The said lords made their Report; and the aldermen and others, who had presented the Petition, being called in, the Speaker delivered the sense of the house to this effect: "He took notice of their good affections in their care for preventing some probable disorders; that the house recommended it to the care of those who have the government of the city, to hinder any thing prejudicial to the privileges of the parliament; in which the public safety is involved, and unto which they are by the Solemn League and Covenant obliged. For the matters contained in their Petition they would take them into their consideration in convenient time; and made no doubt but the city would acquiesce with the judgment of parliament."

It is easy to see, by this Answer, that the lords were not over well pleased with the subject and nature of this Petition. But, however it was, either this Remonstrance from the city, or the king's growing strength and progress, quickened the parliament's several committees for war to write into various counties to put the Press Ordinances in full force, for raising men to compleat their general's army; they being, this day, informed, that the king was marching Southward, his forlorn hope being at Harborough, the main body following, and the foot quartered about Kibworth, Noseley, Skeffington and Tilton, in Leicestershire.

The Parliament resolve to allow Pensions to such Members as had lost their Estates.] About this time it was, that the commons made an Order on purpose to relieve their own Members, who had lost or been deprived of the benefit of their Estates, by this unnatural war, so termed, made by the king against the parliament, or were in such necessity, that they could not, without supplies, attend the service of the house. These were to be allowed four pounds a week separately, to be paid quarterly, to begin from Lady-Day last, out of the revenues of the king, queen, or prince that were in their hands.

An intercepted Letter from the Lord Digby.] June 7. An intercepted Letter, from the lord Digby to colonel Wm. Legge, governor of Oxford, was read to the lords in hæc verba:

"Dear Governor; Just as this messenger was taking horse, I received yours of the 22d, for which I thank you; assuring you that nothing can come more welcome to me than your kindness. The reason of my limitation in your orders, concerning the Oath, was, chiefly, not to give umbrage to my lord Southampton, if it had been general. I have not time to write at large, both to you and my brother secretary, in cypher; and therefore must refer you to his letter, wherein you will see where our design lies. The letter to C. C. C. contained nothing but a dislike of my Answer to the Propositions you write of, as not at all satisfactory; all is villainy and juggling amongst them. Dear Will, adieu; let us hear from you often. I am your faithful friend and servant, GEO. DIGBY. May 26, 1645."

The ambiguity of this Letter made the lords believe that it was a business of great concernment; they therefore thought it fit to be examined by a joint committee of both houses, who were accordingly appointed, to send for and examine such persons as they should think proper, to discover the truth of this business; to keep secrecy, and report it afterwards to the house.

Letter from General Fairfax, &c. to desire the Continuance of Cromwell in the Army.] June 10. A Letter from general Fairfax and other officers, was this day read to the lords; the purport of which was to continue general Cromwell in the Army, notwithstanding the Self-denying Ordinance; and was as follows:

"My lord; Sherrington, June 8, 1645.

"Upon serious consideration how the horse of this army may be best ordered to the advantage of the public service, we find, that being as great a body as ever the parliament had together in one army, and yet having no general officer to command them; for want thereof, both much of the service they might do will be impeded, and great danger and inconveniences may befal the whole army, especially in a day of battle: therefore, we make bold to represent to your lordships and the honourable house our humble desires, that lieut. gen. Cromwell, so long as his attendance on the house of commons may be dispensed with, may be appointed to execute that place; which we hope may prove as advantageous to the general good, as it will be acceptable to us, &c. Thomas Fairfax, John Butler, Cha. Fleetwood, Edward Whalley, Philip Skippon, Tho. Sheffield, Tho. Rainbow, Henry Ireton, Harcourt Leighton, Tho. Herbert, John Potter, Wm. Spencer, Wm. Slaine, Leonard Watson, Tho. Hammond, E. Mountague, John Pickering, Robert Hammond."

The lords ordered this letter to be taken into consideration the next morning, and all the lords to have notice to attend. But there is no further mention made of it in the Lords Journals. The commons, however, ordered that Cromwell should command the horse, during such time as that house should dispense with his attendance; and sent a letter to him for that purpose. And it being very probable that the Armies might be engaged very speedily, it was ordered, by both houses, "That the Assembly of Divines should be desired to set apart the next day, June 11, for seeking God, by prayer, to bless and prosper the parlia-

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ment's army, under the command of sir Thos. Fairfax."

Information of some Members being concerned in a Plot against the Parliament.] June 11. At this time it was that the commons began to suspect a Plot, wherein some of their own Members were concerned. The first Information of it to the lords was this day, on the oaths of Salwey and Greensmith, read as follows:

"This day, about half an hour after twelve o'clock, Mr. James Cranford, minister, came to the Exchange in London; and did there openly declare and affirm, That there was discovered to the parliament a great treachery in the committee of both kingdoms, some whereof had assumed to themselves a power to be a sub-committee; and had, for about 3 months last past, treated secretly with the king for the procuring and making their own peace, and for the surrendering and delivering up the parliament's forces, castles, and garrisons; and the houses of parliament had chosen a committee of 7 lords and 14 commoners, to search out this treason; and that there were divers amongst them, who were of the former sub-committee, that treated with the king. And Mr. Cranford being asked, Whether this that he reported was certain and true? he affirmed it was, and said, 'Let it fly as far as it will, 'for it is true.' This we do declare and affirm to be the substance of Mr. Cranford's speech upon the Exchange, to us and divers others. Dr. Ashton, col. Gore, capt. Jenner, and Mr. Ballow, can give further information about this matter. Rd. Salwey, John Greensmith."

The lords ordered this Information to be communicated to the commons; with a desire that a committee of that house might meet with the lords of the committee for the lord Digby's Letter, to consider of it this afternoon; and that Mr. Cranford be sent for to appear before this committee, and likewise the other witnesses to be further examined.

By referring this Information to the committee on lord Digby's Letter, it seems that the lords thought there was some connection between those two businesses; and it appears still plainer, by a Message from the commons, sent up the same day, desiring, That the person of the lord Saville should be secured and his papers sealed up; and that he should be examined before the same committee, he having reported, That a member of the house of commons, had given intelligence at Oxford. All which the lords ordered accordingly; and that the committee on lord Digby's Letter should be reduced to 2 lords and 4 commoners.

June 13. Some farther intelligence was made to the lords respecting this matter. The lord Roberts reported from the committee of both kingdoms, then sitting at Derby-house, "That this committee had appointed a sub-committee, who had power to treat for the delivering up any considerable garrison of the enemies; or bringing over any considerable force, and for sending out such as spies, to keep intelligence with the enemy." But the said sub-committee being now dissolved, it was desired, That any of them might give account to the houses of their proceedings therein; also that the houses would use expedition in this business, for avoiding the aspersions which may be cast upon the members of that sub-committee.

Declaration of the Lords Warriston and Say and Sele relative thereto.] Lord Roberts also delivered in a Paper, containing the lord Warriston's Declaration,* relating to the knowledge he had of this business; which was read, in hæc verba:

"All my knowledge concerning the sub-committee is this only, That this sub-committee was made first, and then renewed, without putting any of our members upon it; yea, none of us remarking that such a thing was appointed: that, within two days after the renewing of it, some of the members of the houses, of this committee, called for the Order, and desired some of our members to be added; whereupon, about the 7th of May, my lord chancellor was added, and I, in his lordship's absence: that until the afternoon wherein the report was made to the committee, being the 6th of June, I never was called to that sub-committee: that, the day before the report, my lord Say was pleased to tell me thus much in general, That the business was some overtures for the surrendering of Oxford, and bringing over to the parliament some of the king's horse; and that he would take some time to communicate the particulars to my lord chancellor and me. That, at that meeting, immediately before the report, my lord Say told me, That it was Goring's horse should be brought over; that colonel Legg was the man who should surrender Oxford; and that my lord Saville was the man who did deal with the one and with the other, and who assured him of it; as also that he had revealed to a lady, by decyphering a letter come to him from Oxford, that Hollis was the man that kept weekly correspondence with Digby; but, withal, that he now heard the business would fail; whereupon we all resolved, for preventing jealousies and misrepresentations of the sub-committee, to make our report to the committee, and to desire the vacating of that Order; but to speak nothing of Mr. Hollis, because we conceived there was no sufficient ground to call any man's name in question; and so the report was made. Since the report yesternight, my lord Say was pleased to tell me the rest of the circumstances, which now his lordship reports to the committee, and to shew to me my lord Saville's Letter to my lady Temple: and the lord chancellor of Scotland did further declare, That he did not know there was any such sub-committee appointed, nor any such order or power given to them, neither when it was first

* In all the former proceedings this gentleman is called sir Archibald Johnston of Warriston. Probably he was about this time made a Lord of Session.

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appointed, nor when it was again renewed; but that his first knowledge of it was upon the 7th of May; at which time he and myself were added to the sub-committee; but that he was never called to that sub-committee, nor did meet with them, nor know any thing at all of the business, till the sub-committee was vacated; after which time my lord Say was pleased to acquaint him therewith."

This Declaration and the rest of the foregoing Papers, reported from the committee of both kingdoms, were ordered to be communicated to the house of commons.

June 14. This day the lord Say and Sele delivered in to the lords a Declaration, in writing, concerning the business of the sub-committee of both kingdoms; and it was ordered, That the committee for lord Digby's Letter might make use of this Relation as they should see cause.

"When my lord Saville came from Oxford, after he had been examined, and given satisfaction to the lords, and was set at liberty, he came to me and told me, That, upon the breaking of the Treaty at Uxbridge, many were much exasperated against Digby, and other counsellors that they conceived were the cause thereof; and the earl of Newport, before he came from Oxford came to him, and willed him to propose this to those that he thought fit to intrust with it, that col. Goring, being infinitely incensed against the lord Digby and others, for the disgrace put upon his father in France, would come over to the parliament, and bring over those horse he commanded with him, upon condition that he and his father might be well received; they expected not to be employed, but only the favour to enjoy their liberties and estates; and withal, when this was done, col. Legg should deliver up Oxford to the parliament, both being agreed upon between them: he said also, That being come to the parliament, he desired to make it appear that he came with real intentions to serve them to the utmost of his power; and therefore would do his best endeavours to effect the particulars abovesaid; for which they would lay down the way how they might receive security in what they desired; and that being done, the time and manner should presently be agreed upon: besides this, he said He knew there was constant intelligence given to Oxford, every week, of every thing that was done in the houses, or in the committees, by one of the house of commons; and that himself had given part of 3*l.* a week, which was given to one that brought the papers weekly: and he said, That Digby, when he used to reckon up the advantage they had on their side, was used to add this above all the rest, That he had a sure card amongst themselves, that never failed him in any thing of moment; and he would endeavour to do his best to discover these, that he might do the parliament service. These were his overtures to me, to which I answered, That though this were such as, if they might be effected, were likely, at this time, to put an end to all our miseries; yet, how specious soever they were, nothing of this nature was to be meddled withal, without leave from the committee of both kingdoms; and, therefore, if he were confident to do any good in these particulars, and could be an instrument to do the parliament so great service, I would offer these overtures to the committee of both kingdoms; and if they would appoint a sub-committee to treat with any that might be instruments thereof, it might then be proceeded in, otherwise not. He gave me thanks for giving him that advertisement, which, he said, he knew not, and might thereby have run himself into danger.—I did move the committee of both kingdoms in it, and they appointed a sub-committee to treat with any about the delivering up of any considerable garrison'd town into the parliament's hands, or drawing over any considerable forces of the king's to the parliament's side, or discovering any persons who gave intelligence to Oxford. This was entered by Mr. Chiesly, Mr. Frost being otherwise employed, in a paper by itself, which Mr. Chiesley affirmed, when it was called for, he had put into the box where the other papers of entries were; but when it was sought for, it could not be found; wherefore the committee was moved to appoint it to be entered by another Order, which was done according to the former; and, some days after, my lord of Essex called to have the order read, and my lord of Warwick moved that some of the Scots commissioners might be added, which was done. After the first order, my lord Saville sent to the party to let him know that what he desired would be performed, and, upon performance of his part, 10,000*l.* would be given. He received a note from col. Legg, that the lord Newport had not fully instructed him in all particulars concerning that he wrote of, but he would send to him to receive more full directions; and he might assure himself he should find him the man he took him for. This note he shewed to me, for I had told him that it was suspected, while he pretended a treaty upon these particlars, he might thereby take advantage to treat about other propositions with other persons; and I told him it was liable to suspicion. He thereupon protested very deeply, that he treated about nothing but these, nor with any other; and said he would receive the sacrament upon it that it was true; and that he would willingly take the new Oath made for those that came from Oxford, which accordingly he did take; and protested he should receive nothing from Oxford but I should know of it, to prevent that suspicion; for of his messengers, or the times of sending, or of the way of it, I knew nothing. The next that I heard was this, my lady Temple told me there came a man who brought a letter to my lord Saville; she saw him deliver it sealed; he called her into the room, and said he would keep his promise, and receive nothing from Oxford but she should see; and that I should know it. When it was opened it was in cy-

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phers; he began to decypher it, and called her after he had decyphered some, which was compliment; and said, 'here is something.' Then she saw him after, as he decyphered it; produce this, 'Now, my lord, I tell you a secret of all secrets, which you must use only for caution, and reveal to none; Hollis is the man that keepeth constant intelligence and correspondency' (one of these words it was she told me) 'with Digby.' My lady Temple told me she had told the same to Mr. Solicitor, I being out of town: and my lord Saville, when I came back, told me the same; and said, He was sure it came from one who knew the secrets of the king's breast; but would not name the person. I told him, That this was a thing of a very tender nature; for on the one side, if this were a truth, without God did preserve us almost by a miracle, we must needs be ruined, for all our secret councils were discovered; on the other side, if this should be taken for a proof against a man, it would be in their power to ruin any man here at their pleasure; therefore, if this were truth, if he could make it out so as it might have a sufficient proof, it were a great service, considering how destructive it would be if true. He said he would use his best endeavour.—After this, Oxford being besieged, I pressed him to put it to an issue, for I told him, The hanging of it thus long would breed jealousy, it being a fortnight or 3 weeks sometimes before I heard any thing of him; all that I heard I did, from time to time, communicate to Mr. Solicitor and Mr. Crew; and when the Scots commissioners were added, I told my lord Warriston first of the particulars which were the subject of the design, and then I desired to attend my lord Loudoun and him some afternoon, when we might more fully declare to them the persons and particulars together. Having been in the country, after I came home, the siege being raised from Oxford, and conceiving that nothing more would be effected herein, we resolved to desire the committee might be dissolved, and did so; after which I received from my Lady Temple a note, written to her by my lord Saville when I was in the country, wherein he shewed by what means this design was overthrown; and affirmed, That he was assured there was a real intention in it, if it had not unhappily miscarried; and that upon my sending to him that he should desist, he would be sure to send no more messengers. I presently sent him word that the committee was dissolved, and he must not send any into the king's quarters.—This is all the treaty that I ever knew any thing of; and I think the committee of both kingdoms, being appointed by the parliament to manage the war, if such offers of so great advantage to the parliament being made known to any of the committee, he should not have acquainted the committee with it, or they neglected to make use of it so far as to see if they might be effected, neither had done their duty."

Battle of Naseby.] June 16. A Message was brought up from the commons by sir Robert Harley, to acquaint the lords with three Letters they had received from sir Tho. Fairfax, lieut. gen. Cromwell, and the Commissioners of the Army, giving intelligence of a happy victory it had pleased God to give their forces, two days before, under the command of sir Tho. Fairfax, at Naseby, in the county of Northampton: and, because Almighty God might have the only praise, the house of commons, he said, "desired their lordships concurrence, that Thursday next, the 19th, might be kept a day of public Thanksgiving, at Christ-Church in London. That they had thought of Mr. Marshall and Mr. Vynes, to preach that day before both houses, if the lords would consent to it. They also desired, That these Letters, from the Army, might be printed and published, and some rewards given to the messengers who brought the happy news. That Letters of Thanks be sent to sir Tho. Fairfax and the general officers, and that a jewel of 500*l.* value be presented to the former, as a testimony of their affections to him, and of the esteem they had of his services." The lords agreed to all this, with an addition, That the lord mayor, aldermen, and common council of London be invited to meet the two houses at Christ-Church on the day appointed; and that Friday, the 27th instant, be likewise set apart for a day of public Thanksgiving in all churches and chapels of this kingdom under the power of the parliament.—Next follow, in the Lords Journals, copies of the 3 Letters beforementioned, and a list of the prisoners taken at the Battle. Two of the prisoners, taken at this Battle, were members of the house of commons; sir Henry Vaughan, a colonel in the king's service, and sir Wm. Portman; who being brought to the bar of that house, the Speaker told them, "That they had falsified that trust their country had intrusted them with, for the good of religion and public liberty; that by the treachery and infidelity of such as them, this unnatural war had happened, and so much of their countrymen's blood had been shed; and, for their unfaithfulness and treasons to their king and country, they were to be committed prisoners to the Tower for high treason; and should be proceeded against according to law."

General Cromwell has leave to continue in the Army 3 months longer.] This day also the commons sent up another Message to the lords to let them know, "That, in regard of the service lieut. general Cromwell was then engaged in, and the 40 days for the continuance of his employment being near expirtng, they thought fit to desire their lordships concurrence, That he might be farther continued lieut. general of the army in the present service; and have the established pay of it during the pleasure of both houses." This Message being considered of by the lords, after a debate upon it, the question was put, Whether Mr. Cromwell should be lieut. general as the commons desired, or not? It was carried in the Negative. But to sweeten

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this Vote to the commons, the lords, at the same time, voted "That Mr. Cromwell should continue lieut. general of the horse, and have his pay according to the established pay of the army for 3 months, from the end of the 40 days, formerly granted him; which the commons agreed to.

There is nothing material now entered in the Journals for several days, except some small advance in the business of the late Plot; wherein we find that the lord Saville, for refusing, on his examination, to name the person who wrote to him concerning Mr. Hollis, was committed close prisoner to the Tower.

A Motion in the House of Lords for Peace.] June 10. This day a motion was made in the house of lords, "That upon the great and good success the parliament's forces had over the king's at Naseby Field and elsewhere, some course might be thought of to put an end to all these distractions, and to settle a firm and well-grounded Peace, by sending Propositions to the king." Upon which, it was resolved to have a conference with the commons about this business, and that the same should be communicated to the Scots commissioners; and a committee of 11 lords was immediately appointed to draw up what was fit to be offered to the commons at the said conference.

Advice from the Earl of Leven, of the Scots Army's Advance Southward.] June 23. The Scots Army being now far advanced into England, the condition of these auxiliary forces will be best understood by the following Letter from their General, which was this day read:

"My lords and gentlemen; I received your Letter, directed to the committee and myself, representing your desires for the speedy advance of this army, and expressing your care to procure from the city of London a month's pay, and also their suit to the committee of the house of commons, that equal care may be had of our army as of their own; all which we cannot but, with thankfulness, acknowledge to be no small matter of encouragement, and to take it as an assurance of the same care for the rest of the months: and we do hereby likewise make known to your lordships, that, in obedience to your desires, we are thus far advanced; being most willing to apply ourselves, with all chearfulness, to whatsoever undertaking may conduce most to the improving of that late victory, wherewith you were also pleased to acquaint us, in that way which shall be propounded for the happiness of this kingdom and the strengthening of the firm unity of both, than which we have nothing more in our care; and shall embrace all opportunities to evidence our constant affection to this common cause, for the regaining of a blessed Peace and settlement of Religion; but, because your lordships are shortly to receive a more particular account of our ways and intentions by Mr. Kennedy and Mr. Gillespie, I shall forbear to add any thing at present; but remain, Your &c. LEVEN. Mathfield, June 20, 1645."

The E. of Leven marches with the Scots Army towards Worcester.] June 30. Both houses wrote the following Letter to the Scots Army to desire them to march towards Worcester. It was directed to the earl of Leven, as follows:

"My lord; Your letters, sent to the committee of both kingdoms since you came into Nottinghamshire, have been read in both houses of Parliament; wherein they find you are most willing, with all chearfulness, to undertake whatsoever may conduce most to the improving of the late victory; for which, and your other expressions to employ the army for the best advantage of the common cause, the houses do return unto you their most hearty thanks; and understanding from the committee of both kingdoms, that, by their Letter of the 25th and 27th instant, they desire the speedy advance of your Army into Worcester, the houses do approve thereof, and do also desire your speedy march accordingly; which they conceive most necessary, in regard sir Thomas Fairfax, with his army, is gone far Westward for the relief of Taunton and our forces there, whose necessities were so pressing that we could not stay sir Thomas till you were acquainted; assuring ourselves that you will make the greater expedition, lest the king, who is yet weak, may recruit himself to a considerable army, and, in the mean time, plunder and destroy all the neighbouring counties. The houses do take special care for the month's pay for your army; 13,000*l.* of it is ready, and the rest will be provided in few days, and sent to meet you."

The King's Letters taken at the Battle of Naseby.] June 30. The king's own cabinet having been taken at Naseby Field, wherein were copies of several Letters from him to the queen; the house of commons sought how to make use of them to his majesty's disadvantage and their own service;* and this day sent up the following Resolutions they had come to, in order to make these Letters public; which were all of them agreed to by the lords:—1. "That the most material Letters and Papers, taken at Naseby Field, be communicated to the city at a common hall. 2. That the lords be desired to appoint a committee of their house to join with a committee of a proportionable number of this house, to peruse the Letters and Papers taken at Naseby Field, to consider what letters are most material and most fit to be communicated to the Common Hall, and to make observations upon them, to be communicated with the letters. 3. That the time to be desired for this common hall to meet, shall be on Thursday next. 4. That no person do presume to print any part of the Letters to be communi-

* Mr Rushworth informs us, "That sir Thomas Fairfax seemed unwilling to open the King's Letters; but that Cromwell and Ireton prevailed upon him to do so."

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cated at the common hall, without special orders from both houses, and that it be declared that both houses do intend to print them speedily; and this Order to be sent to the warden at Stationers-hall, and published at the common hall. 5. That these Letters and Papers be communicated to the committee of both kingdoms, to the end they may take copies to transmit into Scotland, and to foreign parts as they shall see occasion. 6. That use be made of these Letters and Papers in the Declaration concerning the Treaty, and the Great Declaration to the world. 7. That these Letters and Papers shall be put in a safe and public hand and place, to the end that all such as desire it may peruse the originals of these letters; and that this be published to the city at a common hall. 8. That it be referred to the committee of lords and commons, to be appointed to peruse these Letters and Papers, to appoint a hand and place wherein these letters and papers shall be placed for the public view, and of other circumstances to be observed for the more convenient preserving of them, and putting of them to public view; and that the committee do make report of their proceedings upon the matters referred unto them, before Thursday next."

The discovery and seizure of the King's Letters put a stop to all propositions for Peace; and the Journals of both houses breathe nothing but the voice of war.

The Parliament's Observations on the King's Letters taken at Naseby.] July 3. The earl of Northumberland, from the committee appointed to inspect the King's Letters, reported to the house what Observations had been made on them, in order to their being communicated to the city, at a common hall that afternoon. To this report we have subjoined the passages in the King's Letters to the Queen, on which the animadversions are grounded:

1. "That the king endeavours to overthrow the act of parliament, and his public Declarations of acknowledging this parliament at the Treaty, by an act of council at Oxford, and an entry upon the council-book. 2. That his owning of the parliament was only to draw on the Treaty, by which he hoped for advantage, without any intention to acknowledge it in deed. 3. That the king would never have acknowledged the parliament, if he had had but two men to have stuck to him in denying it; himself being more ready to destroy the parliament, and more violently bent against it, than his very Oxford council. 4. That the kingdoms and parliaments could hardly expect, but with great difficulty, to have assurance to rest upon any thing that the king declares, when his public Declarations are thus undermined by private Acts and Registers."

(No. 15.*) 'Oxford, Jan. 2, 1644.

'As for my calling those at London a Parliament, I shall refer thee to Digby for particular satisfaction; this in general, if there had been but two, besides myself, of my opinion, I had not done it; and the argument that prevailed with me was, That the calling did no way acknowledge them to be a parliament; upon which condition and construction I did it, and no otherwise, and accordingly it is registered in the Council-books, with the council's unanimous approbation; but thou wilt find that it was by misfortune, not neglect, that thou hast been no sooner advertised of it.'

5. "That the king endeavours to bring in a foreign prince, of the Romish religion, with an army of strangers, to invade this kingdom, which the king and his party hath solemnly protested never to do. 6. That the king and queen expect assistance in this business, by shipping, from the Prince of Orange, from whom, being a Protestant prince, we had reason to hope better."

(No. 32.) 'Oxford, March 30, 1645.

'I must again tell thee, that most assuredly France will be the best way for transportation of the duke of Lorrain's army, there being divers fit and safe places of landing for them upon the Western coasts, besides the ports under my obedience, as Selsey near Chichester, and others, of which I will advertise thee when the time comes.'

(No. 26.) 'Oxford, Feb. 19, 1645.

'Dear Heart; I cannot yet send thee any certain word concerning the issue of our Treaty; only the unreasonable stubbornness of the rebels gives daily less and less hopes of any accommodation this way; wherefore I hope no rumours shall hinder thee from hastening all thou mayest, all possible assistance to me, and particularly that of the duke of Lorrain's; concerning which I received, yesterday, good news, from Dr. Goffe, that the Prince of Orange will furnish shipping for his transportation; and that the rest of his negotiation goes hopefully on.'

7. "That the embargo of the merchant ships is a special fruit of the queen's negotiation there, who useth means to bring enemies upon us, and to take trade and commerce from us. 8. That the king will make no Peace but such a one as shall invite the queen's return, with

* These Extracts are taken from the King's Letters at large, which were published by the special order of parliament, under the title of 'The King's Cabinet opened; or certain 'Packets of secret Letters and Papers, written 'with the King's own Hand, and taken in his 'Cabinet at Naseby Field, June 14, 1645, by 'victorious sir Thomas Fairfax; wherein many 'Mysteries of State, tending to the Justification of that cause, for which sir Thomas Fairfax joined Battle that memorable day, are 'clearly laid open; together with some annotations thereupon.' We find, upon comparison, that they agree verbatim with the Copies thereof given in Royston's edition of the King's Works; and the numbers, prefixed to these Extracts, refer to the order in which they stand therein.

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whom he hath concluded private grounds and instructions, according to which he will manage all Treaties."

(No. 26.) 'Oxford, Feb. 19, 1645.

'Sabran* sent me word yesterday, besides 'some compliments, of the embargo of the 'Rebels Ships in France, (which I likewise put 'upon thy score of kindness) but is well enough 'content that the Portugal should be charged 'with thy dispatches. As for trusting the re-'bels, either by going to London or disbanding 'my army before a peace, do no ways fear my 'hazarding so cheaply or foolishly; for I esteem 'the interest thou hast in me at a far dearer 'rate, and pretend to have a little more wit '(at least by the sympathy that is betwixt us) 'than to put myself into the reverence of per-'fidious rebels.'

(No. 24.) 'Oxford, Feb. 15, 1644.

'I assure thee that thou needest not doubt 'the issue of this Treaty; for my commis-'sioners are so well chosen (though I say it) 'that they will neither be threatened nor dis-'puted from the grounds I have given them; 'which, upon my word, is according to the 'little note thou so well remembers. And in 'this not only their obedience but their judg-'ments concur.'

9. "That he will be constant to the bishops and his friends, and not admit of Peace without putting a short period to this perpetual parliament."

(No. 18.) 'Oxford, Jan. 9, 1644.

'The settling of Religion and the Militia 'are the first to be treated on; and be confi-'dent, that I will neither quit Episcopacy nor 'that sword which God hath given into my 'hands.'

(No. 24.) 'Oxford, Feb. 15, 1644.

'There is little or no appearance but that 'this summer will be the hottest for war of 'any that hath been yet; and be confident 'that, in making Peace, I shall ever shew my 'constancy in adhering to Bishops and all our 'friends, and not forget to put a short period 'to this perpetual parliament. But, as thou 'loves me, let none persuade thee to slacken 'thine assistance for him who is eternally 'thine. C. R.'

10. "That the king intends to take away all penal laws against the Papists in England, by the arms and assistance of papists, and in their favour. 11. That the same power that may take away these laws, may take away all other laws; and so, by force, subject both religion and liberty to the will and pleasure of the king and Roman Catholics."

(No. 28.) 'Oxford, March 5, 1644.

'It being presumption, and not piety, so to 'trust to a good cause, as not to use all lawful 'means to maintain it, I have thought of one 'means more to furnish thee with for my as-'sistance, than hitherto thou hast had: it is, 'that I give thee power to promise, in my 'name, to whom thou thinkest most fit, that I 'will take away all the Penal Laws against the 'Roman Catholics in England, as soon as God 'shall make me able to do it; so as by their 'means, or in their favours, I may have so 'powerful assistance as may deserve so great 'a favour, and enable me to do it.'

12. "That they who have deserted their trust in parliament, and given up their lives, fortunes, and consciences to a compliance with the king, will be now despised by the name of a base, mutinous, and mungrel parliament, because they yet retained a little conscience of religion in this parliament."

(No. 29.) 'Oxford, March 13, 1644.

'Dear Heart; what I told thee the last 'week concerning a good parting with our 'lords and commons here, was, on Monday 'last, handsomely performed; and now if I do 'any thing unhandsome or disadvantageous 'to myself or friends, in order to a Treaty, it 'will be meerly my own fault; for I confess, 'when I wrote last, I was in fear to have been 'pressed to make some mean overtures to re-'new the Treaty, knowing that there were 'great labouring to that purpose: but now I 'promise thee, if it be renewed, (which I be-'lieve will not, without some eminent good 'success on my side) it shall be to my honour 'and advantage, I being now as well freed 'from the place of base and mutinous motions '(that is to say, our mungrel parliament here) 'as of the chief causers, for whom I may justly 'expect to be chidden by thee, for having suf-'fered thee to be vexed by them.'

General Fairfax's Letter concerning the Rising of the Club-Men in Wiltshire and Dorsetshire.] July 5. A Letter from general Fairfax to the committee of the two kingdoms, was read, giving an Account of a new independent Army, called Club-Men, raised of themselves, but grown at this time to a very considerable force, who seemed to threaten mischief to both or either of the contending parties, as they saw occasion: the rise of them will be best understood by general Fairfax's Letter, viz.

"My lords and gentlemen; My former letters acquainted your lordships with my resolutions to march Westward for the relief of Taunton, in pursuance whereof I am advanced as far as Blandford. I could not hitherto give your lordships an account of the condition of these counties of Wilts and Dorset, in arms under the name of Club-Men; they pretend only the defence of themselves from plunder, but not to side either with the king's forces or the parliament's, but to give free quarter to both. The heads of them are all, so far as I can learn, such as have either been in actual service in the king's army, or those that are known favourers of that party; nay, some having commands at the present with the king. I hear they have drawn up certain Articles, whereunto they have subscribed, for the managing and maintaining this new Party. They have drawn up Petitions, one to the king and the other to the parliament, the copies whereof

* The French Resident in England.

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I have herewith sent unto your lordships. The heads of them have had some treaties with the governors of the garrisons, both of king and parliament, that lie nearest to them, and have agreed to pay contribution to both: I hear 50*l.* to Tolson-House, and the like to Langford-House. They have appointed treasurers of their own for the receiving and paying of the same, and the garrisons, in consideration hereof, are not to raise contributions to themselves. —I have sent your lordships one of their Warrants for raising of Money, and paying it to Mr. Hollis of Salisbury, who is one of their heads for that purpose. They give passes to some of their party, whom they call Associates, to pass freely in the country without molestation. They inlist themselves under several officers, and meet daily in great bodies at their rendezvous, and boast they can have 20,000 men at 24 hours warning. For assembling them together, their heads send out to several towns, and by ringing of bells, and sending of posts from one rendezvous to another in the several towns and hundreds, they draw into great bodies; and, for distinction of themselves from other men, they wear white ribbons, to shew, as they say, they are desirous of peace. They meet with drums, flying colours; and, for arms, they have muskets, (some, I hear, have been sent them from Sherborne) fowling pieces, pikes, halberts, great clubs, and such like. They take upon them to interpose between the garrisons on either side; and when any of their forces meet in places where they have sufficient power, as Salisbury and the like, they will not suffer them to fight, but make them drink together, and so make them depart to their several garrisons. They have come into our horse-quarters, and steal horses where they find them at grass, and carry them into the woods. They will obey no warrants, no further than they are compelled, for sending in of provisions for the army, or draughts for the carriages, in these two counties. They are abundantly more affected to the enemy than to the parliament, and publickly declare whatsoever party falls on them they will join with the other; and those of the inhabitants of these counties, who are really affected to the parliament, that do not join with them, are daily threatened by them, and suspect the issue of it will be very mischievous.—I have the enemy before me, towards whom I am advancing with all expedition, and these men, who are very numerous, and acted by men so dangerous, as for the most part their leaders are, I know not what they may attempt; I therefore desire your lordships advice in this business, being uncertain what to do before I hear from you.—I am careful to prevent any just cause of clamour from the country, through any disorders of the army, and hope there will be care taken for the sending money to us, that they may be able to give contentment to the people, by discharging their quarters: but I do not all doubt that, if some speedy course were taken for the quieting or suppressing them, it would be no hard work; but I know not what it may prove in time. I find them generally very confident of their cause and party, and if hereafter they should presume to give laws to the armies, as they do to the garrisons, it may be of evil consequence. —For the present, I shall offer to your lordships the commanding of col. Fiennes's and col. Norton's regiments of horse into these parts; who, with the assistance of col. Ludlow, sheriff of Wilts, and the garrisons in these parts, may be able, at least, to keep them from drawing into any great bodies, to the disturbance of the country.—I desire your lordships speedy answer, and remain, your's, &c. THO. FAIRFAX. Blandford, July 3, 1645."

There was also read a Warrant of the Club-Men, under the hands of Thos. Bennet, Thos. Hollis, Thomas Rose, Wm. Gould, Matthew Mervin, sent to the Tything-men of Ebbesbourne:

"Whereas several Petitions for Peace are intended to be agreed upon by the inhabitants of this county of Wilts, and to be presented, the one to his majesty, and the other to the houses of parliament, it was thought fit by divers gentlemen and others, inhabitants of the division of Sarum, who are already agreed and entered into an association concerning the same, that during such time as the said Petition shall remain unanswered, a speedy course should be taken by way of Treaty between the said gentlemen and inhabitants of the said division, and the commanders of the several garrisons of Langford and Fallersdowne, as well for peace and safety of the inhabitants of the aforesaid division, and others who are charged by way of contribution, or otherwise charged or molested by either of the two garrisons, as also for the necessary subsistance of the said garrisons; upon notice whereof divers gentlemen and inhabitants of the said division did meet, with the commanders of the several garrisons of Sarum, the 13th of this instant June, and there did conclude upon certain Articles, both for the peace and safety of the county, and the subsistance and maintenance of the two garrisons, as may appear under the hands of the gentlemen and inhabitants of the said division and commanders of the said garrisons, together with a confirmation under the hands of the committee then at Fallersdowne, in the behalf of that garrison: therefore you the inhabitants of the parish of Ebbesbourne-Wake, are desired, by the gentlemen whose names are here subscribed, to pay, or cause to be paid, to the sworn constable of the hundred, the sum of 2*l.* 18*s.* 4*d*½. at or before the 21st instant, being for one whole week last past, whereby the constable may return and pay the same to John Holles of New Sarum, gent. who is deputed by the gentlemen and inhabitants to receive the same; to the intent to discharge the payments promised to the garrisons, and for the same to be accountable, when he shall be thereunto required, and upon account to pay the remainder of his receipts, if any such

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shall be, unto such as he shall be ordered therein: and you are likewise to return the several names of every person, who stands charged therewith within your tything, together with the particular sum of every such person so taxed, and who they are, in your tything, that refuse or neglect to pay the same. Your friends, &c."

Next the Examination of Christopher Dale, of Salisbury, was read, concerning the Club-Men.

"Christopher Dale, of Salisbury, examined, saith, That, when he was taken yesterday, at Salisbury town-end, by a soldier of this army, upon suspicion of being a spy, he was then returning home to Salisbury from Wincanton, together with some butchers of that town, with whom he went there to have his mare restored unto him, and was then bringing her home to Salisbury. He denieth that he came purposely to view the army, or went out of his way between Wincanton and Salisbury to view the same; but it fortuned that as he was on his journey the army marched cross that way, and he kept on his way through the army, making no stay to observe it. He acknowledged, That heretofore he bore arms for the king, and served as a quarter-master under col. Bampfield of the enemy's party: but saith, That he laid down his arms about three quarters of a year ago, and hath never since served on either side. But he further saith, of late he hath associated himself with those they called Club-Men of Salisbury; that he knoweth no other end of that association but to defend themselves and their goods against all plunderers; but not to oppose either army: That for the town of Salisbury, there are chosen 16 men, viz. 4 out of every parish, to be their leaders, to guide and direct; and Mr. Hollis is chief over all. He conceiveth that about Salisbury there are near 700 Club-Men, which at several times appeared; but he conceiveth that there are more that are associated. That he believes the town is able to furnish these Club-Men with arms, viz. some with pikes and muskets, and others with carbines and pistols; but he thinketh that there is the like Association of Club-Men all over Wilts, and that divers gentlemen, in their several parishes, do appear to conduct; but he can certainly name none but Mr. Justice Bennet, Mr. Gold, Mr. Ashton, and Mr. Edw. Topp. That they have met at several rendezvous; that he was present at one rendezvous at Groveley, where he met the Club-Men of Salisbury, with some other Club-Men of part of that county; and at that time there appeared about 4000, as was generally said and believed: and besides this rendezvous, there were kept other rendezvous for other parts of the county, viz. Warminster, Stonage, White-Parish, and Uphaven; but what number there met at this rendezvous he knoweth not. That at the rendezvous where he met at Groveley, there were certain Articles read and proposed to them, which they all assented to, by giving a shout; but what the effect of those articles were, more than to defend themselves against plunderers, he cannot tell; but it was then said, they were to be sent both to king and parliament to see how they would like them. And, two or three days afterwards, some of the garrisons of Forceley and Langford met at Salisbury with the Club-Men, upon the invitation of the Club-Men, when and where the said Articles were again proposed, as he hath been informed; and thereupon, in the conclusion, it was agreed, that the Club-Men should give 50*l.* a week to each garrison, until the king and parliament had given Answer to their Articles."

Also a copy of the Petition of the Club-Men was read, directed to the King, for Peace, &c.

The Humble APPLICATION of your most loyal and obedient Subjects, the distressed Protestants, inhabiting the Counties of Dorset and Wilts,

"Sheweth, That your suppliants having more deeply than any other parts of this kingdom, tasted the miseries of this unnatural and intestine war, which hath been the more extremely imbittered unto them by the pressures of many garrisons both here and in the neighbouring counties, and the opposite armies continually drawn upon them by reason thereof, did lately hope that, by means of the Treaty proposed by your majesty to the honourable houses of parliament at Uxbridge, they might once again have reaped the blessed issue of their long-lost peace, in the happy accommodation of the present differences, without further effusion of Christian blood; but finding themselves utterly fallen from those hopes, and so too justly fearing that the extremity of these calamities, which the continuance of this bloody war is likely to produce, will daily grow more insupportable, unless our unchristian divisions may timely be prevented by some sudden accommodation, they do here first and freely acknowledge, with sorrow and shame, before God and man, That as it was their extreme ingratitude, with the disesteem and abuse of their former peace, which justly bereft them of that inestimable blessing; so it is their manifold unworthiness which yet withholds it from them; and therefore, in submission to the disposition of the Divine clemency, they cease not heartily to pray that God, in good time, would graciously answer the incessant applications of his church with a blessed restoration of her and their peace. And that they be not wanting to themselves in the search and pursuance of those means which may procure such a happy restitution, they likewise cast themselves at your majesty's royal feet, humbly imploring you to lend a gracious ear to a farther Treaty for Peace, if it shall be proffered to your majesty by the two houses of parliament; for proposal whereof your petitioners have made the like address to them, that such a firm Peace may once again be established amongst us, that may prove for the advancement of God's glory, in the maintenance of the true reformed protestant religion; for the safe-

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guard of your majesty's royal person, honour, and estate; for security of the privileges and immunities of the parliament; and for the preservation of the liberties and properties of the subject; all which they conceive to be the four main Articles of that general Protestation to which the body of this kingdom have formerly sworn: and although they dare not presume to intermit themselves into the debate of those two great mysteries of state, concerning the prerogatives inseparable from your majesty's royal person and power, and the just privileges of parliament, both of which are left to their prayers, only for a wished determination and a happy composition of them; yet they find themselves bound in conscience, first, and chiefly, as Christians, to maintain and advance, with the utmost hazard of their lives and fortunes, the true reformed protestant religion; and next, as free-born Englishmen, not degenerate from the virtues of their fathers, by all possible and lawful means to preserve and uphold the native inheritance of their laws, their liberties and properties, which they equally hold in esteem even with life itself.—And the said petitioners do likewise humbly pray, That, in case such a Treaty may be mutually and unfeignedly admitted, your majesty, for your part, would once again be graciously pleased to press the cessation of arms during the said Treaty, that the two houses of parliament may be induced to do the same, that a Treaty for Peace may not proceed in blood: and because your petitioners are no longer able to subsist under the impossible observance of so many contrary commands of so many garrisons and several armies, (who, under pretence of contribution, and by immeasurable taxes, continual free quarter, and incessant plunderings, contrary to your majesty's Proclamation in that behalf, have scarcely left your poor suppliants sufficient for the support of life) they do most humbly beseech your most sacred majesty, that, out of your royal clemency, whereby you were wont to resent the misery of your poor distressed subjects, you would be graciously pleased that the number of your garrisons in these counties may be lessened, in case the two houses of parliament shall, upon your subjects petition to them in that behalf, do the like with the garrisons in their hands; and that all such your garrisons as shall seem necessary to be upheld within these counties for the defence thereof, may be intrusted in the hands of the said counties, to be maintained at the charge of the inhabitants thereof; and not to be delivered up by them to any persons, but such only as, by the joint consent of your majesty and the two houses of parliament, shall be authorized to receive the same. And they most humbly pray, That, during their service in maintaining the garrisons, your majesty would be graciously pleased to free the said inhabitants from all manner of payments, and all other incumbent charges, save only the necessary quarter of your majesty's armies in their march towards other parts: and because many dissolute persons, taking advantage of these distempered times, and of the abatement of the edge of justice, do, without restraint, commit many heinous offences, to the great dishonour of Almighty God, and a scandal to your royal government established by the laws of this realm, they further humbly pray, That all acts of parliament, unrepealed and yet in force against such offenders, may be presently put into execution by such officers as the same acts enable thereunto, without any disturbance in the execution thereof: and that all such persons as either are or have been in arms, or otherwise assistant to either party in this unhappy war, who, for fear, have absented themselves from the places of their usual abode, or are imprisoned only as favourers of the other party, may be peaceably permitted to return to their wonted homes and habitations, and to the obedience of the established laws.—And your said petitioners humbly desire your gracious majesty to understand, that their frequent meetings have been hitherto, as appears, for no other end, save only for opportunity, jointly, to present their great grievances by this innocent and humble way of petitioning; and to unite themselves as, by the purport of the Protestation and your majesty's Proclamation in their behalf, they humbly conceive they lawfully may do, for the maintenance of their religion, laws, liberties, and properties, against all unlawful violence and plundering whatsoever, until it shall please Almighty God to put an end to these sad distractions.—In the last place, for the prevention of all misunderstandings, and for the fuller expression of their peaceable intentions, in whatsoever may be required of them as touching the premises, they humbly beseech your gracious majesty, that they may have your majesty's warrant for the safe intercourse of those who shall be employed by them in this address to your sacred majesty."

The like Petition to the parliament, from the Club-Men, mutatis mutandis, is entered in the Lords Journals; the consequences of which will shortly appear.

Mr. Cranford fined by the Commons, for aspersing several of their Members.] July 18. The commons, by a committee, had been all this time in examination of the business relating to what Mr. Cranford had declared, concerning the defection of some of their members, (p. 369); and unanimously resolved, "That the said report was false and scandalous: that the words he had spoken against Mr. Crew, Mr. Pierpoint, Mr. solicitor St. John, and sir Henry Vane, jun. were also false and scandalous; that he should pay to each of the said gentlemen the sum of 500*l.* as damages, for their reparation; that he should make an acknowledgment for his offence, and express his sorrow for the same, at the bar of the house of commons; and that he should be committed prisoner to the Tower during the pleasure of the house."

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July 19. The commons proceeded upon the report concerning lord Saville's Paper, wherein Mr. Hollis and Mr. Whitlocke were taxed with treachery, when they acted as the parliament's commissioners at Oxford, and agreed that it should be finally laid aside: but, at the same time, it was ordered, That those gentlemen might prosecute the lord Saville if they thought fit. Mr. Hollis and Mr. Whitlocke being extremely particular in their respective narratives of this business, we shall pass it by with a reference to their Memorials.*

Instructions for the English Commissioners appointed to reside with the Scots Army.] July 28. The Instructions agreed upon by consent of parliament, for Commissioners to be sent to reside in the Scots Army, for the better carrying on of the war, and managing the affairs of that army, were these:

INSTRUCTIONS for , and Edward Lord Montagu, sir John Corbett, Bart. Humphrey Sallwey, esq. col. Wm. Purefoy, and Edward Baynton, esq.

"Whereas, by several Treaties agreed between the two kingdoms, divers things are to be performed and done by the joint advice of both kingdoms, or their committees thereunto authorized, which cannot be so well transacted but by those upon the place; you, or any three of you, have therefore hereby full power and authority given you to go to the Scots Army now in England; and to advise, debate, and conclude, with our brethren of Scotland, or such as shall be authorized by them thereunto; and, by joint advice with them, to put in execution all such matters and things concerning the well ordering, directing, and disposal of the forces brought in and employed by them for our assistance, as shall be found requisite and needful, from time to time, for the prosecution of this cause, and the ends expressed in the Covenant.—You shall do your utmost endeavour that the enemy be vigorously prosecuted, and all advantages taken, for the speedy ending of this war.—You are to do your utmost endeavours for the continuing a good correspondency between the two kingdoms, and their forces.—You are to acquaint them with the great straits we are in for want of money; and that whatsoever failing of payments, according to the Treaty, have been from hence, have not proceeded from any want of affection, or intention to make good our engagements.—You are to acquaint them, That a weekly assessment is made for the maintenance of their army; and that care is taken for the speedy payment thereof.—That there may be no want of provisions, and other necessaries, for the army, you are hereby authorized to send warrants, under the hands of you, or any three of you, to the counties of Hereford, Monmouth, Worcester, Glamorgan, or any other counties where the Scots armies shall march, or adjacent counties, as you shall think fit, for the furnishing provisions, and other necessaries, for that army.—And you are to call to your assistance, and to name and authorize, such gentlemen and others in the aforesaid counties, and such other counties where that army shall march, as you shall think fit, to be such committees for the better putting of this Instruction in due execution: and the committees in the said several counties are hereby required to be, from time to time, aiding and assisting to you herein.—You are to endeavour, That all provisions, or other necessaries, provided by your care, be so ordered, that account may be made what is taken; and that the said provisions may be discounted upon the pay of the said army.—You are hereby likewise authorized, as you may see cause, to help the Scots army with recruits of such horses, upon account, as shall be lost in the service.—You are to take care that no protection be granted to any delinquent, contrary to the Ordinance of parliament. You are further to take care that the several Ordinances be put in due execution against all delinquents, notwithstanding any protection whatsoever. You are to acquaint both houses with your proceedings from time to time; and to observe these Instructions, and such further directions as you shall receive from both houses of parliament."

Instructions for the Commissioners appointed to go to the Parliament of Scotland.] The houses had been also a long time in framing Instructions for a Committee to go into Scotland, to regulate such matters with the Parliament there, as were then necessary to be done. All which are contained in the following Articles:

I. "You shall forthwith repair into the kingdom of Scotland; and you shall make your addresses to the parliament there, or any deputed by them as shall have power and authority to treat with you, upon such matters as you have received, or shall receive, in charge; and to negotiate in that kingdom as committees or commissioners of and from the parliament of England: and, having performed the things wherewith you are intrusted, you are to return and repair to the parliament of England, to render an account of your employment. II. You are to let them know the two houses good acceptance of that brotherly assistance they have received from that kingdom; and return them thanks. III. You are to let them know, That a good and mutual correspondency between the two kingdoms, united in this great cause by Solemn League and Covenant, is very earnestly desired by both houses: and you are, to that purpose, to use your best endeavours for the continuing thereof; and to give the best satisfaction you can, in all things that may seem to have given any occasion of difference; and to desire the like from them: IV. To acquaint them with the great straits we are in for want of money; and that whatsoever payments from hence have not been made, in pursuance of the Treaty, it hath not proceeded

* Hollis's Memoirs, p. 38; Whitlocke, p. 148.

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from any want of affection, or want of intention to make good our engagements. V. You shall propose, That the works about Carlisle may be slighted, and the place dismantled; and that the Scots garrison, now in Carlisle, put in there without the consent of the parliament of England, be forthwith removed, in pursuance of the large Treaty of both kingdoms. VI. You shall demand that the several garrisons in Warkworth Castle, Tinmouth Castle, Newcastle upon Tyne, Hartlepoole, Stockton Castle, and Thirlewall Castle, may be removed; being placed there without the consent of both houses of the parliament of England, or their committees. VII. You shall insist upon it, That all protections already given to the persons, goods, or estates, of any delinquents, without the consent of the parliament of England, or their commissioners, be limited to their just intentions; which is, only for restraining of the soldiers from all acts of violence against the persons so protected; and not extended to the prejudice of any Ordinance of parliament, or Order of both or either house of parliament: and that no protections be granted, or capitulations made, without the consent of the parliament of England, or their committees: and that, if any protections have or shall be granted or made otherwise, they shall be held void and null. VIII. That a Commission be granted under the Great Seal, as in 1641, for the taking and adjusting the accompts of Yorkshire, of the city and county of the city of York, Northumberland, the borough of Berwick upon Tweed, Cumberland, Westmoreland, the county of Durham, and county of Newcastle, between the Scots Army and the said several counties, arising either by assessments, free-quarter, billeting, or any other way. You shall offer to the parliament of Scotland, or their committees, that they may send some commissioners, if they please, to be present at the adjusting of the accompts in the several counties above-mentioned. IX. You shall take care that all the Articles of the several Treaties between the two kingdoms be observed and kept. X. You shall represent to the parliament of Scotland, or their committees or commissioners in that behalf, all oppressions, wrongs, and injuries, offered contrary to the said Articles; and desire such remedy as to justice shall appertain."

The Scots Commissioners desire that Propositions of Peace may be sent to the King.] July 29. The earl of Northumberland presented a Paper from the Scots Commissioners residing in London, bearing date the day before: viz.

"Having now seen and perused the divers Letters and Papers, of great importance, mentioned in the Answer of the honourable houses of parliament to our Paper of the 20th of June, which may give light to the future proceedings of both kingdoms; having also observed the good success of the parliament's forces since that time, whereby the king and his armies are brought to a much lower condition, which, in Divine Providence, may be a further preparation to a happy Peace; and having also reason, from what we have learned in time past, to apprehend that men will not be at rest, but still be dealing under-hand, and tampering for a Peace of their own making, and for their own private ends, to the great prejudice of the public, and the further alienating of the king's heart from a safe and well-grounded Peace, and the delaying of the intentions of both kingdoms; we do, in all earnestness, desire, upon the grounds and considerations presented in our former Paper, to know the minds and resolutions of both houses in a matter of so great consequence, as is the renewing the desires and propositions of Peace, in such manner as shall be thought fit, that we may make the same known to the parliament of Scotland, now sitting, which may expect no less from our trust and diligence." By command of the commissioners for the parliament of Scotland. John Chiesley."

Aug. 11. A conference was held between the two houses, on the subject of the above Paper; the report of which made to the lords was, That the commons had taken it into consideration, and had resolved, that the good condition the parliament were now in, should not make them further off from desiring a safe and well-grounded Peace. But because there had been such ill success in the manner of the late Treaties, they had made certain Votes to which they desired their lordships concurrence: "1. That in such Propositions as should be next sent to his majesty, for a safe and well-grounded Peace, a positive answer shall be desired from himself, without any Treaty. 2. That Propositions shall be sent to his majesty for a safe and well-grounded peace. 3. That such desires as shall now be made to his majesty for Peace, on behalf of England or Ireland, shall be presented in bills to him. 4. That these Votes may be communicated to the Scots commissioners, and be treated on by the committee of both kingdoms." To all which the lords consented.

Aug 12. Oliver Cromwell, by an Ordinance of parliament, was continued general of the horse for 4 months longer.

Aug. 19. The lords, on a petition of the lord Saville and lord Powys, prisoners in the Tower, representing their miserable estate, being deprived of all they were worth, and nothing left either to pay their keeper's fees, or pay for their diet; the lords ordered that 7*l.* a week should be allowed each of them, out of their own sequestered estates, for their present maintenance.

The Club-Men declared Traitors.] Aug. 23. A Declaration was passed against the people called Club-Men, That all persons whatsoever, who shall associate or assemble themselves together in arms, in any parts of the kingdom, without authority of the parliament, are hereby declared traitors to the commonwealth, and to be proceeded against accordingly.

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The E. of Montrose's Victory in Scotland on behalf of the King.] Aug. 26. Several letters from the North were read; one from the lord Wharton, giving some account of the great victory the earl of Montrose had gained over the Scots Covenanters, near Glasgow, in Scotland. Also, that the plague being at Edinburgh, the parliament there had agreed to send commissioners to treat with the English at Berwick. By these letters, Montrose's victory is said to be compleat, and that he was perfect master of the field in Scotland.

A Memorialist of these times,* whom we have not before quoted, tells us from his own knowledge, "That it was this time debated, whether the king should march with his army into Scotland; which had been done, but two things prevented it: 1st, The plague was broke out there, and multitudes died of it; which made the king backward, and the men more backward. 2ndly, the marquis of Montrose having routed a whole brigade of Lesley's best horse, and carried all before him, wrote to his majesty, that he did not now want assistance; but was in hopes, in a few days, to send a body of foot into England to his majesty's assistance. This over-confidence of his was his ruin; for, on the contrary, had he earnestly pressed the king to have marched, and fallen in with his horse, the king had done it, and been absolutely master of Scotland in a fortnight's time; but Montrose was too confident, and defied them all, till at last they got their forces together, and Lesley, with his forces out of England, worsted him in two or three encounters, and then never left him till they drove him out of Scotland."

Sept. 15. The lords, after many delays, resumed the consideration of the Ordinance for the Sale of Delinquents Estates; and, after long debate, in a committee of the whole house, the lord Say and Sele reported, That the sense of that committee was, That a new Ordinance should be drawn up for the sale of the lands and revenues belonging to archbishops, bishops, deans, deans and chapters, to be employed for the same ends and uses, mentioned in the Ordinance for the sale of delinquents estates; with an exception of all impropriations and tythes, belonging to them, as were fit to be employed for the increase and maintenance of the ministry. And, in this, such delinquents estates should be added, as that house should think fit. A committee of 7 lords was immediately ordered for that purpose.

Bristol taken by General Fairfax.] Sept. 19. A Letter was received from general Fairfax, with an account of his taking Bristol, and a long narrative of the proceedings therein.

A member of the house of peers having now lain a long time under confinement, for a charge of High Treason from the commons, the lords, this day, remonstrated to them, by message, "That they could not, in justice, detain him any longer from his seat in parliament, (being committed July 13, 1644) and therefore should restore him to it on the 27th instant, unless they do receive further cause from the commons to the contrary." To which the commons answered, "That in regard a member of their house was out of town, who had all the Papers relating to lord Hunsdon's affair, they desired a fortnight's more time than their lordships had appointed." Agreed to.

A Letter from sir T. Fairfax, enclosing one to him from the Prince of Wales, for Peace.] Sept. 26. A very extraordinary Letter, sent from sir Tho. Fairfax to the commissioners of both kingdoms, was read to the lords, with one inclosed in it from the Prince of Wales; viz.

For the COMMITTEE of both Kingdoms at Derby-House.

"My lords and gentlemen; His highness the Prince of Wales having sent me, by his trumpet, this inclosed Letter, which doth express what he desires from both houses of parliament, I thought it my duty, by your lordships means, to acquaint them with it, and not to hinder the hopeful blossom of your young peace-maker; (if I may be so bold here to term him so) which may prove a flower in his title more glorious and sweet to us than the rest of his ancestors, if it please the Lord to create Peace by him. I shall desire to know your lordships further pleasure in this, which shall be observed by Your lordships humble Servant, THO. FAIRFAX. Bath, Sept. 20, 1645."

The Prince's Letter was as follows:

"For sir Thomas Fairfax:

"We have so deep a sense of the present miseries and calamities of this kingdom, that there is nothing we more earnestly pray for to Almighty God, than that he would be pleased to restore unto it a happy Peace, and we should think it a great blessing of God upon us, if we might be so happy as to be an instrument in the advancing of it: and therefore we have resolved to send two of our Council unto the king, our father, with some such overtures as we are hopeful may conduce thereunto; and do hereby desire you to send, or procure from the lords and commons assembled in parliament at Westminster, a Safe-Conduct for the lord Hopton, and the lord Colepeper, with 12 servants, to go to our royal father, and to return to us; and we should then manifest to the world our most earnest desires to stop this issue of blood, which must otherwise in a little time, render this unhappy land yet more miserable. Given at our Court at Exeter this 15th day of Sept. 1645. CHARLES P."

Hereupon it was ordered, That the Prince's Letter and that of sir Thomas Fairfax be recommended to the committee of both kingdoms, and communicated to the Scots commissioners; and that the said committee take

* Memoirs of a Cavalier; generally supposed to be written by commissary-general Wilmot, afterwards lord Wilmot.

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the said Letters into present consideration, and return their sense to both houses respectively with all convenient speed; and that the concurrence of the commons be desired. These Letters were sent down to that house accordingly.

Sept. 27. For the taking of Bristol, and the advantages gained over the king, whose armies and garrisons were now almost entirely broken and subdued in all quarters, the houses made an Order for a public Thanksgiving.

The Lord Saville, who had been bailed, recommitted.] Oct. 1. The house of lords having admitted the lord Saville to bail, and he being thereupon set at liberty, the commons, at a conference, represented this to the lords as wronging their justice, for these Reasons: "That the lord Saville having taxed Mr. Hollis with keeping correspondence with the lord Digby, and revealing their secrets to the enemy; a crime no less than high treason, if true: and grounding all this upon a Letter; which, not proving, he was liable, as making himself thereby the author of the report, to be punished as a false accuser: That the lord Saville's having prevaricated before the committee, and refused to declare from whom he received that Letter, was a high contempt of their house; and therefore it was against all law and reason, that a person committed for a contempt of a court, should be bailed by that court whilst he continues in that contempt. Besides, the commons urged that they had other matters against him; as his holding correspondence with the enemy, and his sending them notice what was doing in the houses and in the army, &c. For all which the commons desired that the lords would remand the lord Saville back to the Tower, there to remain close prisoner as he was before, till he conform to the Order of both houses;" which was done accordingly.

This day a Remonstrance from the Scots Commissioners to the Parliament was read, complaining of Want of Pay for their Army, and other inconveniences they met with. A similar Remonstrance was also received on the 9th instant; but the houses seemed to take little notice of these Memorials, by their giving no Answer to them all this time.

A Letter from the Earl of Lincoln, concerning, his not taking the Covenant.] Oct. 11. A remarkable Letter from the earl of Lincoln is entered in the Lords Journals this day, relating to his having omitted to take the Solemn League and Covenant; which, with the Resolutions of the lords thereupon, run thus:

To the Right Hon. the lord GREY of Warke, or any other who is Speaker pro tempore of the House of LORDS, to be communicated to their lordships:

"My lord; Upon resolves in the house of lords, the 10th of August 1644, now 14 months since, That no member or assistant of that house not having taken the National Covenant, shall sit in the house after the 17th of the same month, before the taking thereof; finding myself debarred of the undoubted right of a peer to sit in parliament, the most antient and greatest honour, as I conceive, belonging to the peerage, I have in this length of time, according to the best of my judgment, weighed with myself the cause of my sequestration; and being deprived of this my undoubted privilege, without any charge against me personally made, nor any judgment upon me given, which should render me unworthy and uncapable to enjoy my privilege; (in which case and proceeding I never doubted the power of either house over their members,) I humbly offer to their lordships, Whether, for a bare omission, or deferring upon a scruple of conscience, wherein I yet remain unsatisfied, to do that which is not imposed by any act or ordinance of parliament, with any penalty, upon the meanest subject, that myself should be debarred of the highest and most undoubted privilege of a peer? This I hold it my duty to intimate to their lordships for the present, and for posterity, that that Vote may be, as many others have been, taken into their further honourable considerations, and myself freed from the restraint of enjoying my privilege, which I have, with your lordships, by Ordinance of this parliament, protested to maintain. My lord, I do, in this, not look merely upon mine own interest, but upon the high and general concernment; and rest Your lordship's most humble Servant, T. LINCOLNE. Berkshire-House, Oct. 10, 1645."

This Letter the lords ordered to be taken into consideration on the 13th instant; when a Message from the house of commons, Aug. 10, 1644, and a Vote of this house upon it were read, concerning the peers taking the Covenant; and, after debate, it was resolved, 'That the said Vote, now read, should be repealed.' Thereupon, the earl of Lincoln was called in to take his place in that house as a peer.

An Ordinance was this day agreed to for borrowing 40,000*l.* at the rate of 8*l.* per cent. interest, to be raised by voluntary Subscriptions, or by Assessments, &c.

A Complaint from the Committee at York, against the Scots Army.] Oct. 15. The lord Roberts reported a conference with the commons, wherein two Letters from the North were exhibited, and several Resolutions of that house thereupon. These letters were addressed to their Speaker, Wm. Lenthall, esq.; and first that from the Committee of the house of commons then residing at York: viz.

"Sir; To appease a dangerous mutiny, at the time when the king, with his forces, advanced into this county, and sent out Proclamations that all from 16 to 60 should come unto him for guarding of his person to this city; and for the encouraging our horse, both officers and private men, we promised them a month's pay, which was the least of their demands. We have with much labour, and by engagement of our particular credits, advanced a fortnight's pay unto the troopers; but it is impossible for us to pay the rest unto them out of these parts, which are so impoverished; and the whole North-Riding is now not only taken

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up in quarters, but also exceedingly assessed in money, by the Scots; so that we cannot raise sufficient for the growing pay of the foot. The horse do again begin to make high and peremptory demands of their fortnight's pay in arrear; which, if not speedily paid, will occasion as high, if not an higher, mutiny than the former. We hear from London, that the 10,000*l.* is already taken up by the horse officers, and for discharge of other debts and engagements; so that there is no other way left for keeping our horse together upon service, than a present Order to be given by the parliament for advancing that sum, which will amount unto 3000*l.* or thereabouts. We earnestly intreat you to acquaint the house therewith, on whose favour we rely, hoping a speedy course will be directed by them for making supply hereof, otherwise we cannot be able long to do them service in these parts. We remain, &c. York, Oct. 4, 1645."

The other Letter was from the Commissioners of Assessment in the several Ridings of Yorkshire:

"Sir; It hath often been represented from this county, that the intolerable burdens of armies, English and Scots, have reduced great numbers of families to the extremities of poverty; for the redress whereof earnest request hath been made from the commissioners, in behalf of the inhabitants of the country; who, having lately received some relaxation of their sufferings, by the removal of the Scots army Southwards, and the reducing sundry of the enemy's garrisons, were settling themselves to some industry to support themselves withal; wherein they were not a little encouraged by the Ordinance of Parliament, appointing the charge of the Scots Army to be indifferently supported by a general assessment laid upon the kingdom, whereof they were only to bear a proportionable share: but now, as soon as their harvest is reaped, and provisions made by every family for their proper subsistance for the year following, the Scots Army is unexpectedly returned into these parts again: and albeit we, the Commissioners of the several Ridings, have made known unto them, that we neither have authority to impose any such burden upon the country, and, if we had such power, yet that we know the country unable to bear them, without the universal ruin of the inhabitants; nevertheless the commanders of the said army have, of themselves, taken up quarters in the North-Riding, and spread their charge, and send out their warrants in other parts of the county, requiring from the people such vast sums of money and proportion of provisions, as have not been heard of in other parts of this kingdom; which nevertheless they force the people to bring in to them.—These impositions, thus laid by them upon the country, as we understand by daily complaints brought to us from several places, are, in most parts of the country, after the rate of 144,468*l.* per mensem, being distributed in the same measure through the whole country, and in some other parts not so much; but in no place, that we have yet heard of, less than after the rate of 45,000*l.* per mensem; and all this taken under pretence of order from their superior officers, besides the infinite oppressions and extortions of the soldiers, who take away the subjects horses, goods and money, without any public order, which we conceive may equal the proportion of their certain assessments.—These insupportable burdens must of necessity produce an universal poverty and desolation of the country, and so prepare the dispositions of the people to desperate associations and resolutions, to rise in opposition; which, how destructive it may prove to the present union of the two nations, we leave to your consideration. And we may not omit herewith to represent unto you, as a matter conducing to the same end, that the ways to raise money in this county, for the pay of our own army, being wholly obstructed by those levies of the Scots, that take up the whole substance of the country, it will be impossible to restrain our own soldiers, who were mutinous before; but that now their distempers will be much increased, and being united to an oppressed people, may give a more speedy vent to the heart-burnings and discontents contracted by these sufferings, which visibly tend to the utter confusion of this country.—Sir, whatsoever our succeeding miseries may be, yet we conceive we have now fully discharged our duties in making this Remonstrance of our sufferings to that honourable house, which is the only place, under Heaven, from whence we can hope for relief; and our request is, in order to the prevention of these imminent dangers, that the Scots army may be immediately removed from these parts, and some course taken for reparation of the country's sufferings by the other parts of the kingdom liable to the burden of that army; which we humbly desire may be immediately presented by you to the house from your, &c. York, Oct. 3, 1645."

Votes of the House of Commons in Consequence thereof.] The lord Roberts farther reported, That Mr. Tate, one of the managers at the conference, said, That at the same time the foregoing Letters were read in the house of commons, they had also received from their lordships two Papers, which had been delivered in by the Scots Commissioners, one dated the 29th Sept. last, and the other the 9th instant, upon all which they had passed these Votes:

1. "That this house doth declare, That as they are bound by the Covenant and Treaties to maintain the union and good correspondence between the two kingdoms, so it is their Resolution to employ and continue their utmost endeavours to maintain the same accordingly. 2. That the Scots Army's not engaging against the enemy, according to the desires of both houses, and their continuance in the Northern parts, contrary to those desires, is not only unserviceable, but prejudicial to those ends for which their assistance was desired, and destructive to those parts of the kingdom. 3.

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That their laying of taxes, and raising of money upon the subjects of this kingdom, and plundering their houses and goods, is against the Treaty, and against the liberty of the subject, which both kingdoms are bound to preserve; and doth disable the kingdom from paying the monthly Assessments for the maintenance of that army and the forces of the Northern Association. 4. That it be declared to the inhabitants of the Northern Association, That they are not bound to pay any such monies as are or shall be taxed upon them, without the power or authority of both houses, by the Scots officers, or any other person. 5. That whatsoever goods, monies, horses, or provisions have been, or shall be, taken from any the inhabitants of the Northern Association, or of any other parts of this kingdom, without the power and authority of both houses of parliament, by any of the Scots Army, shall be repaid unto them out of the monies designed for the maintenance of that army. 6. That such commissions shall be issued under the great seal, into every county of this kingdom where they shall be desired, for the certifying what money, billet, horses, cattle, goods or provisions, have been levied or taken by any of the Scots Army; with like powers and authorities as are contained in the commissions already issued, in that behalf, into divers of the Northern counties. 7. That whatsoever money, horses, goods, or provisions have been, or shall be, levied or taken by the Scots Army, upon the inhabitants or subjects of the kingdom, shall be accounted as so much of the pay of the Scots Army; and that this kingdom is disengaged from the payment of so much as the same, upon proof, shall amount unto. 8. That in case the pressures of the Scots Army upon the subjects of this kingdom be continued, and unless satisfaction shall be given touching those pressures, it cannot be expected that this kingdom shall make payment of 31,000*l.* per month to the said army. 9. That it be desired that satisfaction should be given to this kingdom, that such forces of the Scots nation as have been put into the several garrisons of Newcastle upon Tyne, the city of Carlisle, and town of Hartlepoole, the castles of Tinmouth, Warkworth, Thirlewall, and Stockton, without the consent of both houses, may be forthwith removed; to the end they may be disposed of in such manner as shall be thought fit by both houses of the parliament of England. 10. That the Letters from the Committees of York, of the 3rd and 4th of this instant Oct. with the Votes thereupon, be communicated to the lords at a conference. 11. That the Votes formerly passed the house, for removing the obstructions that happen in bringing in the Assessments for the Scots Army, and for the providing of 30,000*l.* for that army upon their coming to Newark, be communicated to the lords at this conference."

The lord Roberts added, That, at the said conference, Mr. Long reported from the city, That they would endeavour, and were in good hopes to effect, the providing of 30,000*l.* for the Scots Army, in case they should be before Newark by the 1st Nov. otherwise not; and he further read these Votes following, made by the commons: 1. "That the Scots Answer, touching the marching their Army to besiege Newark, is not satisfactory. 2. That the Scots commissioners be desired to give a positive and speedy answer, touching their army's marching to besiege Newark. 3. That some gentlemen be sent into the city of London to borrow 30,000*l.* towards paying off the Scots Army; and that the Assessments, due and payable out of the several counties for that army, shall be the security for payment of the said money, together with interest for the forbearance thereof. 4. That 200 barrels of powder, with bullets proportionable, and a double proportion of match, be forthwith provided and furnished for the Scots Army, in case they shall be before Newark by the 1st of November."

The lords put off the consideration of all these Letters and Resolutions of the commons for two days, and ordered all their members to be summoned against that time. On the 18th, every one of the aforesaid Resolutions were severally read, and unanimously agreed to.

General Pointz's Victory near Sherburne.] Oct. 20. Letters from general Pointz were read, bringing an account of another great Victory gained by him against the king's forces near Sherburne, in Yorkshire. For this another day of thanksgiving was appointed.

Tiverton taken by General Fairfax.] Oct. 23. A Letter was received from sir Thomas Fairfax, giving an account of the taking of Tiverton. Hereupon the lords ordered, That a Letter be written by their Speaker to sir Tho. Fairfax, to give him thanks, in the name of that house, for his great care and pains in the conduct of the army.

Oct. 28. A Thanksgiving was ordered by both houses for the reducing of the counties of Pembroke, Caermarthen, and Cardigan, to the obedience of the parliament, by which his majesty lost almost all his interest in those parts.

Intercepted Letters from the King to the Marquis of Ormond, &c.] Oct 30. In order to shew to what a distressed condition the King's affairs were now reduced, we here subjoin a series of Letters, which were taken in the late fight at Sherburne. They were delivered to the lords at a conference, and this day read in their house.

The King's Letter, under his own hand, to the lord marquis of Ormond. Caerdiffe, July 31, 1645.

"Ormond; It hath pleased God, by many successive misfortunes, to reduce my affairs of late from a very prosperous condition to so low an ebb, as to be a perfect trial of all men's integrity to me; and you being a person whom I consider as most intirely and generously resolved to stand and fall with your king, I do principally rely upon you for your utmost

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assistance in my present hazards. I have commanded Digby to acquaint you at large with all particulars of my condition, what I have to hope, trust to, or fear; wherein you will find, that if my expectation of relief out of Ireland be not in some good measure, and speedily, answered, I am likely to be reduced to great extremities. I hope some of those expresses, which I sent you since my misfortune by the Battle of Naseby, are come to you; and I am therefore confident that you are in a good forwardness for the sending over to me a considerable supply of men, artillery, and ammunition. All that I have to add is, That the necessity of your speedily performing them is made much more pressing by new disasters; so that I absolutely command you, what hazard soever that kingdom may run by it, personally to bring me all the forces of what sort soever you can draw from thence, and leave the government there during your absence in the fittest hands that you shall judge to discharge it; for I may not want you here to command these forces which will be brought from thence, and such as from hence shall be joined to them: but you must not understand this as a permission to you to grant to the Irish, in case they will not otherwise have a Peace, any thing more in matter of religion than what I have allowed you already; except only in some convenient parishes, where the much greater number are papists, I give you power to permit them to have some places which they may use as chapels for their devotions, if there be no other impediment for obtaining a Peace; but I will rather chuse to suffer all extremities, than ever to abandon my religion, and particularly either to English or Irish rebels; to which effect I have commanded Digby to write to the agents that were employed hither, giving you power to cause to deliver, or suppress, the letter as you shall find best for my service. To conclude: If the Irish shall so unworthily take advantage of my weak condition, as to press me to that which I cannot grant with a safe conscience, and without it to reject a Peace, I command you, if you can, to procure a further cessation; if not, to make such divisions as you can amongst them; and rather leave it to the chance of war between them and those forces which you cannot draw from thence to my assistance, than to give my consent to any such allowance of Popery, as must evidently bring destruction to that profession, which, by the grace of God, I shall ever maintain through all extremities. I know, Ormond, that I impose a very hard task upon you; but if God prosper me, you will be an happy and glorious subject; if otherwise, you will perish nobly and generously, with and for him who is your assured friend, C. R."

The King's Letter to Prince Rupert; Caerdiff, July 31, 1645.

"Nephew; This is occasioned by a letter of yours that the duke of Richmond shewed me yesternight; and, first, I assure you, that I have been, and ever will be, very careful to advertise you of my resolutions so soon as they were taken; and if I enjoined you silence to that which was no secret, it was not my fault, for I thought it one; and I am sure it ought to have been so. Now, as for your opinion of my business, and your counsel thereupon, if I had any other quarrel but the defence of my religion, crown, and friends, you had full reason for your advice; for I confess that, speaking either as a mere soldier or statesman, I must say that there is no probability, but of my ruin; yet, as a Christian, I must tell you that God will not suffer rebels and traitors to prosper, nor his cause to be overthrown; and whatsoever personal punishment it shall please him to inflict upon me must not make me repine, much less give over this quarrel. And there is as little question that a composition with them, at this time, is nothing else but a submission; which, by the grace of God, I am resolved against, whatsoever it cost me; for I know my obligations to be, both in conscience and honour, neither to abandon God's cause, injure my successors, nor forsake my friends. Indeed, I cannot flatter myself with expectation of good success, more than this, to end my days with honour and a good conscience; which obliges me to continue my endeavours, as not despairing but that God may yet, in due time, avenge his own cause; though I must avow to all my friends, that he who will stay with me at this time, must expect and resolve either to die for a good cause, or, which is worse, to live as miserable in maintaining it as the violent rage of insulting rebels can make him.—Having thus truly, and I believe impartially, stated my case unto you and plainly told you my positive resolutions, which, by the grace of God, I will not alter, they being neither lightly nor suddenly grounded, I earnestly desire you no ways to hanker after Treaties; assuring you, as low as I am, I will do no more than was offered in my name at Uxbridge; confessing, that it were as great a miracle that they should agree to so much reason, as that I should be, within a month, in the same condition as I was immediately before the Battle of Naseby. Therefore, for God's sake, let us not flatter ourselves with these conceits; and believe me, the very imagination that you are desirous of a Treaty, (for that, at this time, and a submission is all one) will but lose me so much the sooner. Wherefore, as you love me, (whatsoever you have already done) apply your discourse hereafter according to my resolution and judgment.—As for the Irish; I assure you they shall not cheat me, but it is possible they may cozen themselves; for be assured, that what I have refused to the English, I will not grant to the Irish rebels; never trusting to that kind of people, of what nation soever, more than I see by their actions; and I am sending such a dispatch to Ormond, as I am sure, will please you and all honest men; a copy whereof, by the next opportunity, you shall have. Lastly, be confident that I would not have put you nor myself to the trouble of this long letter, had I not a great estimation

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of you, and a full confidence of your friendship to C. *R.*"

The King's Letter, in his own hand, to the Marquis of Ormond, to hasten a Peace in Ireland.

"Ormond; I find by yours to Digby, that you are somewhat cautious not to conclude the Peace, without, at least, the concurrence of the council there; which, if you could procure, I confess it would be so much the better; and therefore I have sent herewithal another letter to you, to be communicated to them which takes off those restrictions which I laid formerly upon you in a public letter; but the Irish Peace is of such absolute necessity, that no compliments or particular respect whatsoever must hinder it; wherefore I absolutely command you, without reply, to execute the direction I sent you the 27th of Feb. last, giving you leave to get the approbation of the council, so as, and no otherwise, that by seeking it, you do not hazard the Peace, or so much as an affront, by their foolish refusing to concur with you; promising you, upon the word of a king, that if God prospers me, you shall be so far from receiving any prejudice by doing this so necessary a work, though alone; that I will account it as one of the chiefest of your greatest services to me; and accordingly you shall be thought upon by your assured friend, C. R."

The Lords Journals add, That there were divers other Letters communicated at the conference, but the foregoing were the principal.

Prince Rupert's Letter to the Parliament for a Pass to leave the Kingdom.] Nov. 1. The first occurrence of this month worth our notice, is a Letter to the parliament from prince Rupert, whom the king had stripped of all his commissions about six weeks before, on account of his surrendering Bristol to general Fairfax:

"My lords and gentlemen; Having determined with my brother prince Maurice, my lord Hawley, lord Gerrard, sir Rd. Willis, and many officers and gentlemen of quality, to leave this kingdom, being altogether disengaged from that service we have been in; it hath given me the occasion to desire this favour from you, that you would grant a Pass for me, my brother Maurice, and those noblemen and gentlemen that come along with me, together with their servants, horses, and all necessaries, to go beyond the seas, or to retire to their houses, as shall be most for their conveniency:* and I engage my honour, for myself and them, that no act of hostility shall be done by us; and that there is no other design in our going, than to go whither our particular occasions and desires shall lead us. I have therefore addressed unto you this gentleman, lieutenant colonel Osborne, who can assure you that my intentions are no other than what I have here professed; and, by him, I shall expect the return of my desires, wherein you will oblige, your friend and servant, RUPERT. Wiverton, Oct. 29, 1645."

This request being taken into consideration the same day, both houses agreed to grant a Pass as desired, upon the conditions expressed in the Letter. But at the same time, a committee of lords and commons were appointed to consider of the manner of this Pass, and report the same to the houses.—A day or two after the committee brought in a form of a Pass, which was read and approved of, along with the Instructions for those that should take the engagement required; which was, never more to bear arms, or act any thing against both houses of the parliament of England, or against the estates of the parliament of Scotland, or against any of their forces in any of the king's dominions.

Nov. 11. The lord Wharton and the rest of the English Commissioners being returned out of Scotland, this day his lordship delivered in to the house an Account of their Negotiation. After this Report, the Speaker was ordered to give the lord Wharton thanks from the house, for his pains in this business; which was done accordingly.

Letter from Mr. Strickland, the Parliament's Agent at the Hague.] Nov. 28. This day was read, in the house of Lords, a Letter, from Walter Strickland, esq. the Parliament's Agent at the Hague, which gives an account of what was then doing on the other side of the water:

For the Right Hon. the COMMITTEE of both Kingdoms at Derby-House.

"Right Honourable; The letters of both houses and their committees I delivered to the States General, and to the States of Holland. They will send copies to the admiralty and recommend the expedition of that affair. I hope it will go well with them in Hull and York. De Witt is at the Hague. My lords, the States are informed, by their ambassador, that the parliament suffers the Spaniard to take up men at London to serve against them in Flanders. Many of the well-affected here are scandalized at it, as if the parliament inclined much to favour the interests of Spain. They speak about the parliament's maintaining trade with Dunkirk their enemy, yet forbid them the trade of the Havens in the king's hands. It is like there will be ill blood betwixt the king of Portugal and this state; for the Portugals in Brazil, in the West-Indies, have taken a strong fort, called St. Austin's fort, from the States, and, some say, two ships laden with arms sent from hence. The Portugal ambassador here will not seem to know any thing of it, nor avow it as the king's act; in the mean time the West-India Company are preparing ships and for their

* Mr. Whitlocke writes, 'That the number of these were about 400, the meanest whereof was a captain, who had laid down their commissions, deserted the king, and betook them to Worton-House, 14 miles from Newark, where they stood upon their guard.' Memorials, p. 185.

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relief, and have 50,000*l.* to do it withal. Your honours will see the story more fully by the inclosed Letter, printed here. My lords, there is a constant report, believed by many, that a fleet of 28 great ships shall lie upon our seas for the king of France. This is of great concernment; and though I will not write it for a certainty, nothing yet being acted in it by the state, yet I have heard it spoken of by men of quality; so that I durst not but advertise your honours of it, as a thing which is jealous; but if the ships be to be made or bought here, as some report they are, it will give jealousy to others as well as to us. I shall give you advice as I shall have further occasion hereafter. I hear, from good hands, that not only France and Sweden, but most of the princes of Germany declare themselves favourable to the interest of the Elector's Family; and some think the Swedes, and the Emperor might more easily agree than the house of Austria and the French. The Prince of Orange came home last night late, or this morning, for it was after midnight when he came into the Hague. I am informed that sir John Henderson, who came out of Denmark to , was here; that he saith, he will go into Scotland from hence; and that the king will speedily make a Peace with the parliament of England or Scotland, but not with both: This is design not opinion. I am, &c. WALTER STRICKLAND. Hague, Nov. 26-30, 1645."

This Letter was ordered to be communicated to the commons, and their concurrence desired, that it may be recommended to the admiralty to have a care of the sea affairs.

Resolutions of the Commons, in regard to Promotions and Grants in their intended Propositions for Peace.] Dec. 1. The house of commons debated the Propositions of Peace to be sent to the King, and, inter alia, came to the following remarkable Resolutions:

"That his majesty be desired, in these Propositions, to grant the title and dignity of a baron of England to sir Thomas Fairfax, and the heirs male of his body; and that an estate in land of 5000*l.* per annum be settled on him and his heirs for ever, in fee simple, in acknowledgment of his many great and faithful services to the kingdom: that his father, Ferdinando lord Fairfax (of Scotland) be made a baron and an earl of England. And, for the same reasons, That Robert earl of Essex, Algernon e. of Northumberland, Robert e. of Warwick, and Philip e. of Pembroke and Montgomery, be made dukes; and that Wm. earl of Salisbury, and Edward earl of Manchester, be made marquisses. That Wm. lord visc. Say and Sele, John lord Roberts, Francis lord Willoughby of Parham, and Philip lord Wharton, be made earls. That Denzil Hollis, esq. be made a viscount of England. That sir Henry Vane, sen. be made a baron. That Oliver Cromwell, esq. lieut. general, and sir Wm. Waller, be made barons of England, and have each 2500*l.* per annum, settled on them and their respective heirs for ever, in fee simple. That sir Arthur Haselrig and sir Philip Stapylton have each 2000*l.* per annum. That sir Wm. Brereton have 1500*l.* per annum. And that major-general Skipton have 1000*l.* per annum, settled on them and their respective heirs for ever, in fee simple. That the persons now named to be created dukes, marquisses, earls, viscounts, or barons, shall inherit the said respective titles and dignities, in the same priority and precedency, according to those respective titles of dignity, or other precedencies they now hold. That the lands and estates this day conferred, except the estate conferred upon sir Tho. Fairfax, shall not inure to the persons they are conferred upon, until the public debts and engagements of the kingdom be first satisfied. That this house doth declare, That it shall be an acceptable service for any person to inform this house of any of their members that, by himself, or others, directly or indirectly, hath taken or received any money or other thing, of any persons, for any matter depending in this house or any committee thereof, since the beginning of this parliament."

Mr. Whitlocke adds to the foregoing Resolutions, That the lord Howard was to be made an earl, also sir Philip Stapylton and sir Arthur Haslerig, barons: but the Journals make no mention of these three last intended promotions.

A Joint-Committee appointed to attend the Parliament's Army at the Siege of Newark.] Dec. 2. The earl of Manchester acquainted the lords, That he had received a Letter from the earl of Leven, with notice that he was come up with the Scots Army to Newark; and desired to know who should command there in chief. Upon this the house thought fit to appoint general Leven to command all the forces, both English and Scots, that should be employed before Newark, during their continuance at that place: but, at a conference with the other house respecting this appointment, the commons were not willing to trust the command to one person, and desired that a joint-committee of English and Scots should reside with the army before Newark and act in that office; which was agreed to by the lords, with this proviso, That the English committee should consist of a number of lords and commons, to act under such instructions as should be agreed on by both houses.

This day the commons sent up a Message to the lords, importing, "That they had considered the great pressures and miseries the kingdom laid under, by this unnatural war; and out of their desires to have a safe and well-grounded Peace obtained, they had prepared some Propositions to be presented to his majesty, in which were some alterations different from those presented formerly to him; and to which they desired their lordships concurrence."

The King's Message of the 5th Dec. for Peace.] Dec. 3. Whilst these Propositions were under the consideration of the Lords, the Speaker acquainted that house with a Letter, delivered

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him by a trumpet the night before. It was a Letter from the King, inclosed in one from Sir Thomas Glemham, governor of Oxford; which was read as follows:

For the SPEAKER of the House of PEERS protempore.

"C. R. His majesty being deeply sensible of the continuation of this bloody and unnatural war, cannot think himself discharged of the duty he owes to God, or the affection and regard he has to the preservation of his people, without the constant application of his earnest endeavours to find some expedient for the speedy ending of these unhappy distractions, if that may be, doth therefore desire, That a Safe Conduct may be forthwith sent for the duke of Richmond, the Earl of Southampton, John Ashburnham and Jeffery Palmer, esqrs. and their attendants with coaches, horses and other accommodations for their journey to Westminster, during their stay there, and return when they shall think fit: Whom his majesty intends to send to the lords and commons assembled in the Parliament of England, at Westminster, and the commissioners of the parliament of Scotland, furnished with such Propositions as his majesty is confident will be the foundation of a happy and well-grounded Peace. Given at the Court at Oxford the 5th Dec. 1645."

The lords took this Message into consideration; and it was moved to send it to the commons with this sense upon it, viz. 'That this house did not think it fit there should be a Safe-Conduct granted to those four persons upon this Letter.' But the question being put, Whether to have this sense declared before it be sent down? it was resolved in the negative. Thereupon the Letter was sent to the commons, with a desire only that they would communicate it to the Scots commissioners.

Dec. 9. The trumpet which brought the foregoing Letter from the king, was sent back with the following Letter, signed by the Speakers of both houses:

For sir THOMAS GLEMHAM, Governor of Oxford,

"Sir; We have received your Letter of the 5th instant, with his majesty's inclosed, and have sent back your trumpet by command of both houses, who will, with all convenient speed, return an Answer to his majesty, and rest Your loving friends, &c."

The Parliament's Answer to the several Papers lately presented by the Scots Commissioners.] Dec. 10. The following Answer to the several Papers lately presented by the Scots Commissioners being agreed upon, was read in the house of lords this day:

"The lords and commons assembled in the parliament of England at Westminster, having received several Papers from the Commissioners of the parliament of Scotland, particularly one of the 29th Sept. and another of the 9th Oct. to the matters therein contained they return this Answer: Concerning the Payment of the Scots Army, so much insisted on in your lordships Papers, the several Declarations, and the divers courses and ways which, in the said Papers, are expressed, and acknowledged by your lordships to have been made and taken by us for the payment of that army, sufficiently witness our constant care and manifold endeavours for the supply thereof; and if all those ways have, notwithstanding, proved so little effectual as your lordships alledge, yet can it not in any sort be imputed to the houses of parliament; who no sooner have had any wants of that army, or any obstructions in the ways taken for the entertainment thereof, represented unto them, but they have forthwith applied themselves to supply the one and remove the other, to the utmost of what lay in their power. Before the Scots Army was entered into this kingdom, we appointed a committee to sit purposely at Goldsmiths-Hall, to provide monies and necessaries for the support thereof; this committee hath sat ever since constantly to that end and to put forward the execution of our Ordinances therein, whereat, twice a week, some of the commissioners of Scotland themselves were present, to be witnesses and promoters of their diligence; the same committee had their agents in every county: to quicken the execution of our orders below in the country, we allowed salaries and rewards to the diligent, we gave power to punish the negligent, and all that should in any sort divert or obstruct the coming in of those assesments: When the course first designed for the payment of the Scots army, out of the estates of papists and other delinquents, answered not expectation, we provided for it as for other armies, by way of tax and assessment upon several counties; and when those of the Northern parts proved insufficient for so great a charge, we added others thereunto, and those of the most entire and quiet parts of the kingdom; where first was laid an assessment of 200,000*l.* in gross, and after, a monthly assessment of 21,000*l.* per month. There was never any expedient offered unto us for the removal of any obstruction in the raising of those assessments, which we did not readily assent unto; there was never any thing desired of us by our brethren of Scotland, which was in our power to grant, which we have not willingly agreed unto for the more speedy and effectual execution of our Orders for the pay and support of that army; there was no course taken for any other army, but we have taken the like also of the Scots; so that we may truly affirm, That it hath not rested on us, that that army hath not been as well paid and provided for, as any other whatsoever; but if the activeness and great successes of some other armies have given us more credit in procuring money to be advanced for them, or more quickened the spirits of the people to pay in their assessments to them, surely that ought not to be turned into matter of complaint against us, having found the same by experience, from time to time, in the payment of the armies of our own nation; possibly also the pay of other armies may appear more con-

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stant, and their wants less, than it is well known to us that both one and the other have been: neither have our endeavours been altogether so ineffectual for the supply of the Scots army, but that from the 6th Oct. 1643, to the 1st Nov. 1645, there hath been actually paid to them, in money, and provisions for which money hath been issued out of Goldsmiths-hall, the sum of 220,629*l.* sterling, besides 9000*l.* in money and lead paid unto them at York; and what they have received upon the assessments of the Northern parts, appointed to be paid into the lord mayor of York, and upon the 5th and 20th part, and from the Coal and Excise of Newcastle, and of the Northern parts, or otherwise, by any assignments of both houses of parliament; and likewise besides another assignment of 2000*l.* per month, assessed upon the county of York, in monies and provisions, for 4 months during the siege of York and after, amounting to 88,000*l.* and also besides 10,000*l.* more to cloath the soldiers of that army upon their return to Newcastle, over and above all that themselves had levied in the several counties where they have been, and their free quarter and disorderly plunderings; which (if they have been so excessive as the cry thereof from several parts representeth them to our ears) it is not much to be wondered at, if the water run more sparingly from the cisterns and conduit, when it is so much exhausted at the spring head, from whence the assessments for the entertainment of that army, and others, should have risen.—Concerning the Excise of the Northern parts, and the ways that are alledged to be taken to divert it from the Scots army, by forestalling it here in the South, and applying it to other uses; no such practices have been made known to us; and whensoever they shall be discovered, we shall be ready to apply fitting remedies thereunto.—And for the Coal of Newcastle; possibly the profits thence arising might fall very short of the estimate made thereof, in some one month; but, in other months, it hath come in in greater quantities; and we find that, for these twelve months last past, there hath actually come in, and been taken to the use of that army, upon the coals of Newcastle and Sunderland, above 53,000*l.* sterling, whereof 4500*l.* were of the customs belonging to the navy: and if, upon taking of Newcastle by the Scots army, the course for the managing of the coals, settled by both houses of the parliament of England, in the committee of Goldsmiths-Hall, had not been interrupted, the committee might have been better able to have given an account of any decay of trade therein, and how it hath happened that many months it hath fallen below the first estimate thereof.—Having made Answer to the most material points in your lordships Papers, concerning the Pay of the Scots Army; as you have very frequently and very freely declared unto us the wants and necessities thereof, through default of pay, so shall we also, with the like freedom and brotherly affection, represent to our brethren of Scotland some particulars concerning the proceedings of that army: it is well known unto your lordships, that we have, upon divers occasions, signified our advices and directions how that army might employ itself most effectually for the advancement of the public service of this kingdom, by engaging against the common enemies, and the places held and possessed by them; wherein, by what occasion we know not, we have found ourselves several times disappointed of our hopes and expectations; by which means not only the common cause hath been retarded, but also the ends frustrated for which the assistance of so great an army was desired by us, which was, that a speedy conclusion might be put to these unhappy wars. We shall not need to go further back for an instance than to that whereof the sense is freshest in our minds, and which, in that conjuncture of time, and of our affairs, proved very prejudicial to the service of this kingdom; which was the continuing of that army in the North, where no enemy was, and not marching to besiege Newark, at such time as it was thereunto desired by both houses of parliament; although they not only expressed their desires therein, but also their care in the provision of money and ammunition to enable and encourage them to undertake that work; but having received no satisfaction at all in that particular until that now, by your lordships Letter of the 12th Nov. the resolution of the general, the earl of Leven, concerning the marching of that army towards Newark, was signified unto us: by means of this delay, not only the Northern parts have lain all this while under a most unsupportable burden, but also the fairest opportunity that hath yet offered itself unto us, since the beginning of this war, of putting an end to our miseries, together with the season of the year for the speedy reducing of that place, which was the principal ground of our resolution in that particular, is already slipt out of our hands; and the advance of the 30,000*l.* which we had good hope, and some assurance of, from the city, for the use of that army, in case it came to Newark before the 1st Nov. and not otherwise, is rendered more difficult and doubtful unto us.—It was far from our intentions, that the Scots Army should neither be provided for by us, nor yet suffered to provide for their own subsistance; nor doth the contrary appear by any actions or omissions on our part, nor yet by any sufferings of that army; but that, according to our power, we have made provision for them, and that they also have supplied themselves.—We shall remember, according to your lordships expressions in your Papers, 'That not written Ordinances but real Payments must satisfy the 'necessities of the soldiers;' and we hope it shall be as well remembered also, how far better than paper our Ordinances have proved to that army, which hath not been more ready to engage itself really in the service of this kingdom, than we have been forward to pay it, and really to satisfy the necessities of the sol-

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diers; and therefore desire that such expressions may be foreborne, which may seem to derogate either from the honour of the proceedings or of the Ordinances of parliament.—When the Treaty was concluded between the two kingdoms, it was supposed that such might be the wants or necessities of this kingdom, as that they might not be able to make due and constant payments to the Scots army; yet was it not supposed, that, in default thereof, they might forbear to engage their army, much less lay taxes upon the people of England to pay themselves, this kingdom being to give their public faith for the payment of their arrears, with interest; as, on the other side, the kingdom of Scotland gave their public faith, That neither their entrance into, nor continuance in the kingdom of England, should be made use of to any other ends than such as are contained in the Covenant and Articles of the Treaty. That it is contrary to the liberties of the subjects of England, that any taxes or levies of money should be made, raised, or levied upon them, without the consent of both houses of parliament, we need not declare to your lordships: and we are sorry that the cries of the people which continually sound in our ears, especially of the Northern parts, brought to us under the hands of such as we have entrusted there, should enforce us to represent unto our brethren of Scotland the great complaints which, long since, and at this present, are made of the laying of taxes of money, and other things, by some of the Scots army; and that also in very vast and excessive proportions, besides free quarterings and disorderly plunderings of horses, and other goods; which courses being taken and continued, it cannot be expected that we should continue the monthly pay of that army; which, though we have not taken occasion to stop and surcease upon taxes and levies of monies, and other proceedings of that army, yet we expect, as that which of right is due, that, out of it, deduction and satisfaction shall be given in the premises.—And as we are obliged to make good the monthly pay of that army, according to the Treaty, so long as we shall find it necessary to use the assistance thereof within this kingdom, and no longer; so is that army likewise bound to demean themselves conformable to the tenor of the Treaty; and, according thereunto, to give satisfaction unto this kingdom that such forces of the Scots nation, as have been put into the several garrisons of Newcastle upon-Tyne, the city of Carlisle, and other places in the North, without the consent of both houses of the parliament of England, shall be removed; to the intent that the same may be disposed of in such manner as shall be thought fitting by the said houses of parliament, the performance whereof we have demanded from the kingdom of Scotland, by our Letters to that parliament.—These things we held ourselves bound to represent to our brethren of Scotland, as well in discharge of the trust reposed in us, for the preservation of the interest and liberties of this kingdom, as also the better to maintain the union and good correspondency between the two kingdoms; which being the surest foundation of security and prosperity to both kingdoms, it always hath, and always shall be the firm resolution of both houses of the parliament of England, to maintain and preserve the same, according to the Covenant and Treaty; the common rules and marks which both kingdoms have set up to themselves to steer their course by in the pursuing of their joint interests, and for the attaining of the good ends therein expressed and contained, from which we desire that there may be no swerving on either side; hoping and expecting the like redress and satisfaction from our brethren of Scotland, upon any infringement thereof, as we should be ready to give unto them, if any such thing should happen on our part.—Concerning Religion and the settling of Church Government; as there is nothing wherein we have more desired to approve our consciences to God, and our actions to the world, so do our hearts give us a very clear testimony of the faithful and diligent discharge of our duty therein, according to the trust reposed in us, and the Covenant taken by us; and we conceive our actions witness no less to all that will rightly weigh and consider what we have already done therein, and with what diligence and zeal we have, from time to time, proceeded in that Work of God; being resolved to continue in so doing, till we have fully supplied what shall yet appear to be wanting therein: it being always to be remembered, that the preserving the liberty and freedom of our debates and resolutions in parliament, is not to be interpreted or termed negligence or delay in us.—As to the Propositions of Peace to be sent to his majesty, in pursuance of our Resolutions of the 6th Aug. communicated to your lordships; we have proceeded therein as the exigence of our affairs would permit; and the Propositions being at this present continually in agitation and debate in parliament, we are resolved to apply ourselves both speedily and effectually to the perfecting of them, according to the present state of affairs; and we doubt not but our actions shall testify to our brethren of Scotland, and all the world, that there is no earthly thing more in our thoughts and desires, than the settling of a safe and well-grounded Peace in the three kingdoms, for which we have done and suffered as much as any kingdom in the world."

Draught of an Answer to the foregoing Message from the King.] The same day the following Draught of an Answer to the king's last Message was read and agreed to by the lords; the earl of Lincoln only dissenting:

"May it please your majesty; The lords and commons assembled in the parliament of England at Westminster, have received your Letter of the 5th of this instant December, by a trumpet from sir Thomas Glemham; and

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having, together with the commissioners of the parliament of Scotland, taken the same into their serious consideration, have commanded us to return this their humble Answer. They have, in all their actions, manifested to your majesty and the world, their sincere desires that a safe and well-grounded Peace might be settled in your three kingdoms; and, for the obtaining so great a blessing, shall ever pray unto God, and use their utmost endeavours; and should have counted it a great happiness, if your majesty's actions had been answerable to the expressions you have so often made concerning your desire of Peace. As to your majesty's desire of a Safe-Conduct for the coming hither of the duke of Richmond, the earl of Southampton, John Ashburnham, and Jeffry Palmer, esqrs. with Propositions from you; the persons formerly employed from your majesty, on the like occasion, having agitated other things to the disadvantage of the parliament, they cannot admit thereof. And finding that former Treaties have been made use of by your majesty for other ends, under pretence of Peace, the lords and commons, and the commissioners for the kingdom of Scotland, sithence the Breach of the Treaty at Uxbridge, have resolved and agreed to send Propositions and Bills unto your majesty, for the obtaining of a safe and well-grounded Peace; and to desire your answer unto them, without any Treaty to be had thereupon; and this they intend to do with all convenient speed."

Exceptions made by the Scots Commissioners, to the above Answer.] Dec. 13. The foregoing Draught being ordered to be communicated to the Scots Commissioners for their approbation, before it was sent away, they returned the following Answer and Exceptions to it:

"My lords and gentlemen; Having received from your lordships his majesty's Letter of the 5th of this instant, to the house of peers, and at the same time a Draught of the Answer of both houses to that Letter, we find in that Answer some particulars, wherein we are named as consenters; to which we cannot agree; neither would it, we are confident, have been expected from us, if our former Papers had been considered, or we consulted therein, as formerly upon the like occasions; concerning which we are ready to give your lordships satisfaction by conference.—By command of the Commissioners for the parliament of Scotland. JOHN CHIESLEY."

EXCEPTIONS to the foregoing Draught of an ANSWER to the King's Message.

"Whereas, according to the Order of both houses of parliament, a Draught of their Answer to his majesty's late Letter is, by this honourable committee, communicated to us, the Commissioners of the Parliament of Scotland, we have taken both the Letter and the Draught of the Answer into our serious consideration; and, with the honourable houses, do, in the name of the parliament of Scotland, from our hearts pray and desire, according to our former wishes and endeavours, that a safe and well-grounded Peace may be settled in his majesty's dominions; which we are apt to conceive may now, by the blessing of God, be brought to pass, when both his majesty hath made the motion on one hand, and the honourable houses of parliament have resolved and agreed to send Propositions and Bills to his majesty on the other, for the same much-desired end.—Only, according to our interest and affection, and in relation to so great a happiness, we do express our sense concerning some particulars in the Answer: First, If that it may seem good to the wisdom of the honourable houses, instead of these words, 'And 'should have accounted it a great happiness 'if your majesty's actions had been answer-'able,' that the expression might run thus, 'And shall account it a great happiness that 'your majesty's actions be answerable.' Next, Concerning that part of the Answer, which seemeth to bar all further Treaty, we refer ourselves to our Paper of the 14th August, wherein we declared ourselves most willing, that not only the three main Propositions debated at Uxbridge, but also all or any of the other Propositions of Peace, already agreed upon by the joint consent of both kingdoms, which, upon mutual debate, should be adjudged necessary, should be sent, with a desire of a positive Answer without any Treaty; but, withal, did shew, that if any new Propositions of Peace, or any material additions to, or alterations of, the former Propositions were to be sent, in that case we were necessitated to send them to the kingdom of Scotland, to be there considered and approved; as is more fully contained in that our Paper, which we desire may be taken into consideration at this time; and this is all that is in our power, or can be expected from us, in matters of so great importance as cannot be determined without the particular knowledge and express consents of the parliaments of both kingdoms, united by so many bonds of covenant of doing and sustaining in this common cause.—To the point of denying the Safe-Conduct; the houses having declared their opinion, we do agree, and earnestly do desire that, without delay, the Propositions, already agreed upon, may be sent to his majesty for a positive Answer; but if any of them be altered, or any other material difference be intended, which may lay a necessity upon us of sending them to the parliament of Scotland, to be there considered and returned hither with their sense; and so the winter, the fittest season for a Treaty, spent in debates upon new Propositions, the present opportunity lost, occasion given to our enemies to use the more art and industry for bringing in foreign forces, when they apprehend, by our delays, their motion of Peace not to be entertained, (besides many other inconveniences well known to the honourable houses, and felt by all the three kingdoms, which accompany our present distractions) the continuance or

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increase of the common miseries, through not settling of a happy Peace, cannot be imputed to us; who have not ceased constantly to express the sending the Propositions agreed upon by both kingdoms ever since the 20th of June last; have used our best endeavours, upon all occasions, with the honourable houses, from time to time; and have left no good ways or means, in our power, unessayed, which might deliver these kingdoms out of their trouble and sufferings, and settle them in a blessed Peace: it is therefore our earnest desire, that the present opportunity of pacification be improved, unto which we are ready to join our uttermost endeavours, waiting for the success from the blessing of God.—By command of the Commissioners for the parliament of Scotland. JOHN CHIESLEY."

Another Letter from the King, Dec. 15, for Peace.] Dec. 17. The King having yet received no Answer to his last Message, thought fit to second it with another; which was delivered to the lords, this day, in hæc verba:

For the SPEAKER of the House of Peers pro Tempore.

"*C. R.* His majesty cannot but extremely wonder that, after so many expressions on your part, of a deep and seeming sense of the miseries of this afflicted kingdom, and of the dangers incident to his person during the continuance of this unnatural war; your many great and so oft repeated protestations, That the raising of these arms hath been only for the necessary defence of God's true religion, his majesty's honour, safety, and prosperity, the peace, comfort, and security of his people, you should delay a Safe-Conduct to the persons mentioned in his majesty's Message of the 5th instant, which are to be sent unto you with Propositions for a safe and well-grounded Peace: a thing so far from having been at any time denied by his majesty, whensoever you have desired the same, that he believes it hath been seldom, if ever, refused amongst the most avowed and professed enemies, much less by subjects to their king. But his majesty is resolved that no discouragements whatsoever shall make him fail on his part, of doing his utmost endeavours to put an end to these calamities, which, if not in time prevented, must prove the ruin of this unhappy nation; and therefore doth once again desire, That a Safe-Conduct may be forthwith sent for those persons expressed in his former Message: and doth therefore conjure you, as you will answer to Almighty God in that day when he shall make inquisition for all the blood that hath and may yet be spilt in this unnatural war, as you tender the preservation and establishment of the true religion, by all the bonds of duty and allegiance to your king, or compassion to your bleeding and unhappy country, and of charity to yourselves, that you dispose your hearts to a true sense, and employ all your faculties in a more serious endeavour, together with his majesty, to put a speedy end to these wasting divisions; and then he shall not doubt but that God will yet again give the blessing of Peace to this distracted kingdom. Given at our Court at Oxford the 15th Dec. 1645."

The lords ordered this Message to be communicated to the commons, and to the Scots commissioners, that an Answer might be speedily made to this and the last Message from the king. At the same time they received a Message from the commons, That they did adhere to the Letter, formerly passed both houses, in Answer to the king's; and desired that the members of both houses, who were of the committee for the two kingdoms, should confer with the Scots Commissioners, and offer them the reasons for adhering to this Answer, and learn from them any reasons they should urge to the contrary.—Soon after the commons sent up another Message, intimating, That upon reading the king's last Letter, this day, they perceived it to be so much in substance with the former, that to retard the sending of that Answer which the houses have agreed to, will be much to the disadvantage of the Parliament: that the commons had resolved to take the Propositions for Peace into consideration, de die in diem; and therefore desired the lords to expedite those which were already brought up, and they would dispatch the rest as soon as possible. All which the lords agreed to.

Dec. 22. The earl of Northumberland reported divers Papers from the committee of both kingdoms, being the result of their debates and conferences with the Scots Commissioners concerning the Answer to the King's Letter. The whole of these Papers are given at length in the Lords Journals. The Report being over, the lords ordered that the several Papers, therein contained, should be taken into consideration the next morning.

Taking of Hereford by the Parliament's Forces.] Dec. 23. A message was brought up from the commons, by sir Robert Harley and others, to communicate to their lordships divers Letters, importing the good success of some of the parliament's forces in the taking of the city of Hereford. Sir Robert Harley farther informed the lords, That the commons desired their concurrence in appointing a Thanksgiving to Almighty God, the next Sabbath-day, in London and within the line of communication, for the taking of Hereford; and also that colonel Birch might be governor of that city: to both these the lords agreed accordingly.

The Parliament's Answer to the King's Messages of Dec. 5th and 15th, for Peace.] Dec. 26. The commons sent up an Answer to the King's Letters; which the lords read, approved of, and ordered to be communicated to the Scots Commissioners; which they, after some deliberation, having consented to, it was ordered to be sent away that afternoon, by sir Peter Killegrew:

"May it please your majesty; The lords and commons assembled in the parliament of England, at Westminster, have received your

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Letters of the 5th and 15th of this instant Dec. and having, together with the Commissioners of the Parliament of Scotland, taken the same into their serious consideration, do humbly return this Answer: They have, in all their actions, manifested to your majesty and the world, their sincere and earnest desires that a safe and well-grounded Peace might be settled in your three kingdoms; and for the obtaining so great a blessing, shall ever pray to God and use their utmost endeavours: and beseech your majesty to believe, that their not sending a more speedy Answer hath not proceeded from any intention to retard the means of putting an end to these present calamities by a happy Peace; but hath been occasioned by the considerations and debates necessary in a business of so great importance, wherein both kingdoms are so much concerned. As to your majesty's desire of a Safe-Conduct for the coming hither of the duke of Richmond, the earl of Southampton, John Ashburnham, and Jeffrey Palmer, esqrs. with Propositions to be the foundation of an happy and well-grounded Peace; they finding that former Treaties have been made use of for other ends, under pretence of Peace, and have proved dilatory and unsuccessful, cannot give way to a Safe-Conduct according to your majesty's desire: But both houses of the parliament of England having now under their consideration Propositions and Bills for the settling of a safe and well-grounded Peace, which are speedily to be communicated to the commissioners of the kingdom of Scotland, do resolve, after mutual agreement of both kingdoms, to present them with all speed to your majesty. GREY of Warke, Speaker of the House of Peers pro tempore. W. LENTHALL, Speaker of the house of Commons. Westminster, Dec. 26, 1645."

Another Message from the King of the 26th, for a Personal Treaty, sent before his Majesty's Receipt of the foregoing Answer.] But before this Answer was received by the King, another Message came from his majesty ushered in to the house of lords, in the usual manner;

For the SPEAKER of the house of PEERS pro Tempore, to be communicated to the two houses of parliament at Westminster, and the commissioners of the Parliament of Scotland.

"C. *R.* Notwithstanding the strange and unexpected delays (which can be precedented by no former times) to his majesty's two former Messages, his majesty will lay aside all expostulations, as rather serving to lose time than to contribute any remedy to the evils which, for the present, do afflict this distracted kingdom: Therefore, without further preamble, his majesty thinks it most necessary to send these Propositions this way, which he intended to do by the persons mentioned in his former Messages; though he well knows the great disadvantage which overtures of this kind have, by the want of being accompanied by well-instructed messengers.—His Majesty conceiving that the former Treaties have hitherto proved ineffectual, chiefly for want of power in those persons that treated, as likewise because those from whom their power was derived (not possibly having the particular informations of every several debate) could not give so clear a judgment as was requisite to so important a business: if therefore his majesty may have the engagement of the two houses at Westminster, the commissioners of the parliament of Scotland, the mayor, aldermen, common-council, and militia of London; of the chief commanders in sir Tho. Fairfax's army, as also of those in the Scots army, for his majesty's free and safe coming to, and abode in, London, or Westminster, (with such of his servants now attending him, and their followers, not exceeding in all the number of 300) for the space of 40 days; and, after the said time, for his free and safe repair to any of his garrisons of Oxford, Worcester, or Newark, (which his majesty shall nominate at any time before his going from London or Westminster) his majesty propounds to have a Personal Treaty with the two houses of parliament at Westminster, and the commissioners of the parliament of Scotland, upon all matters which may conduce to the restoring of peace and happiness to these miserably distracted kingdoms; and to begin with the three heads which were treated on at Uxbridge. And for the better clearing of his majesty's earnest and sincere intentions of putting an end to these unnatural distractions, (knowing that point of security may prove the greatest obstacle to this most blessed work) his majesty therefore declares, That he is willing to commit the greatest trust of the militia of this kingdom, for such time and with such powers as are expressed in the Paper delivered by his majesty's commissioners at Uxbridge, the 6th Feb. last, to these persons following, viz. the lord Privy-seal, duke of Richmond, marquis of Hertford, marquis of Dorchester, earl of Dorset, lord-chamberlain, earls of Northumberland, Essex, Southampton, Pembroke, Salisbury, Manchester, Warwick, Denbigh, Chichester, lords Say, Seymour, Lucas, Lexington, Mr. Denzil Hollis, Mr. Pierpoint, Mr. Henry Bellasis, Mr. Rd. Spencer, sir Tho. Fairfax, Mr. John Ashburnham, sir Gervase Clifton, sir Henry Vane, jun. Mr. Robert Wallop, Mr. Tho. Chicheley, Mr. Oliver Cromwell, and Mr. Philip Skippon; supposing that these are persons against whom there can be no just exception. But if this doth not satisfy, then his majesty offers to name the one half, and leave the election of the other to the two houses of parliament at Westminster, with the powers and limitations before-mentioned.—Thus his majesty calls God and the world to be witness of his sincere intentions and real endeavours for the composing and settling of these miserable distractions; which he doubts not but, by the blessing of God, will soon be put to an happy conclusion, if this his majesty's offer be accepted; otherwise, he leaves all the world to judge who are the continuers of this unnatural

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war. And therefore he once more conjures you, by all the bonds of duty you owe to God and your king, to have so great a compassion on the bleeding and miserable estate of your country, that you join your most serious and hearty endeavours with his majesty, to put an happy and speedy end to these present miseries. Given at the Court at Oxford, 26th Dec. 1645."

A Message from the King, Dec. 29th, occasioned by that Answer.] Dec. 30. Sir Peter Killegrew, the Messenger sent with the parliament's Letter to the King, returned with this Answer:

"C. *R.* Although the Message, sent by sir Peter Killegrew, may justly require an expostulatory Answer, yet his majesty lays that aside, as not so proper for his present endeavours; leaving all the world to judge, whether his Proposition for a Personal Treaty, or the flat denial of a Safe-Conduct for persons to begin a Treaty, be greater signs of a real intention to Peace; and shall now only insist upon his former Message of the 26th of this Dec. That, upon his repair to Westminster, he doubts not but so to join his endeavours with his two houses of parliament, as to give just satisfaction not only concerning the business of Ireland, but also for the settling of a way for the payment of the public debts, as well to the Scots and the city of London, as others. And as already he hath shewn a fair way for the settling of the militia, so he shall carefully endeavour, in all other particulars, that none shall have cause to complain for want of security, whereby just jealousies may arise to hinder the continuance of the desired Peace. And certainly this Proposition of a Personal Treaty could never have entered into his majesty's thoughts, if he had not resolved to make apparent to all the world, That the public good and peace of this kingdom is far dearer to him than the respect of any particular interest: wherefore none can oppose this motion, without a manifest demonstration, that he particularly envies his majesty should be the chief author in so blessed a work, besides the declaring himself the direct opposer of the happy Peace of these nations. To conclude: Whosoever will not be ashamed that his fair and specious protestations should be brought to a true and public test, and those who have a real sense and do truly commisserate the miseries of their bleeding country, let them speedily and chearfully embrace his majesty's Proposition for his Personal Treaty, at Westminster; which, by the blessing of God will undoubtedly, to these now distracted kingdoms, restore the happiness of a long-wished-for and lasting Peace. Given at the Court at Oxford 29th Dec. 1645."

The next day the commons sent a Message to the lords, importing, That upon reading of the King's Letters of the 26th and 29th Dec. they do find a greater necessity to continue in their former Resolution, 'That the Militia of this kingdom shall be put in the power of both houses of parliament, and not otherwise, according to the Proposition concerning the Militia already sent from their house to the lords; and that the lords concurrence be desired, both in the said Proposition and in the Vote; and that the lords be desired, if they shall agree in the said Proposition and in this Vote, that they will concur with this house, That the said Proposition concerning the Militia and this Vote may, by the members of both houses that are of the committee of both kingdoms, be communicated to the Scots Commissioners, and their concurrence desired to both." To all which the lords agreed.

The King's affairs now growing desperate, on all sides, many gentlemen of estates, who had served his majesty in his armies, sought to make the best of a bad bargain, and save some part, by compounding for the whole. A committee for such uses was settled, by parliament, at Goldsmith's-Hall; and time was allowed to the 25th of this month, for those who thought proper to come in to compound. Soldiers of fortune, as they were called, or those who had no estates, were suffered to transport themselves to any foreign country, never more to return to their own, without leave from the parliament: but, if they returned again, and took up arms against the parliament, then they were neither to have a pardon nor quarter.

Answer from the Parliament to the King's Messages of the 26th and 29th Dec.] Jan. 3. The form of a Letter, drawn up by the committee of both kingdoms, to be sent to the king as an Answer to his two last, was read to the lords, and ordered to be communicated, first to the Scots commissioners, and then sent away to his majesty by a trumpeter:

"May it please your majesty; We, your humble and loyal subjects of both kingdoms, have received your Letters of the 26th and 29th Dec. last, unto which we humbly return this Answer, That there hath been no delay on our parts but what hath been necessary in a business of so great consequence, as is expressed in our former Letter to your majesty.—Concerning the Personal Treaty desired by your majesty; there having been so much innocent blood of your good subjects shed in this war, by your majesty's commands and commissions, Irish rebels brought over into both kingdoms, and endeavours to bring over more into both of them, as also forces from foreign parts; your majesty being in arms in these parts, and the prince at the head of an army in the West; divers towns made garrisons and kept in hostility against the parliament of England; there being also forces in Scotland against that parliament and kingdom by your majesty's commission; the war in Ireland fomented and prolonged by your majesty, whereby the three kingdoms are brought near to utter ruin and destruction; we conceive that until satisfaction and security be first given to both your kingdoms, your majesty's coming hither cannot be convenient, nor by us assented to; neither can

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we apprehend it a means conducing to Peace, that your majesty should come to your parliament for a few days, with any thoughts of leaving it, especially with intentions of returning to hostility against it.—And we do observe that your majesty desires a Safe-Conduct, not only from your parliament, but from the lord mayor, aldermen, common council, and militia of the city of London, the chief commanders of sir T. Fairfax's army, and those of the Scots army; which is against the privileges and honour of your parliament, those being joined with them who are subject and subordinate to their authority.—As to that which your majesty, against the freedom of parliament, enforces in both your Letters, with many earnest expressions, as if in no other way than that propounded by your majesty, the Peace of your kingdoms could be established, your majesty may please to remember, that, in our last Letter, we did declare that Propositions from both kingdoms were speedily to be sent unto your majesty; which being assented unto by your majesty, will be the only means whereby you can give satisfaction and security to your kingdoms, will assure a firm union between the two kingdoms (as much desired by each for other as for themselves) settle religion, and secure the peace of the kingdom of Scotland, whereof neither is so much as mentioned in your majesty's Letter. And in proceeding according to these just and necessary grounds, to the putting an end to the bleeding calamities of these nations, your majesty may have the glory to be a principal instrument in so happy a work; and we, however misinterpreted, shall approve ourselves to God and the world to be real and sincere in seeking a safe and well-grounded Peace."

The Scots Commissioners Objections to it.] Jan. 5. The foregoing Letter having been communicated to the Scots Commissioners for their consent to it, they, this day, returned a Paper to the lords, which contained their thoughts on the said Letter, which was read in hæc verba:

"According to an Order of both houses your lordships did, upon Saturday at night, communicate unto us their Answer to the king's Letter, in reference to our concurrence; and, upon perusal thereof, we have thought fit to desire it may be considered, whether so full and express charging of his majesty, as is contained in the second paragraph, doth conduce to the intended pacification; and whether it may not, contrary to the intentions of both kingdoms, probably be interpreted to a further end than to decline a Personal Treaty. Some expressions, as we conceive, may, upon a second consideration, be made more distinct and clear, wherein we shall be very ready to concur with your lordships: but one thing there is very material to us, which we desire to have altered in the fourth paragraph, 'Your majesty 'may please to remember that, in our last 'Letter we did declare that Propositions for 'both kingdoms were speedily to be sent to 'your majesty, which being assented to by your 'majesty, will be the only means whereby you 'can give satisfaction and security unto your 'kingdoms:' because these words, as they now stand, do imply not only that the parliaments of the two kingdoms will receive no Propositions from his majesty to be the foundation of a safe and well-grounded Peace; but also, that there can be no satisfaction or security, unless his majesty assent unto every particular, of the smallest importance, contained in the Propositions to be sent from both kingdoms; and do further imply, that there shall be no Treaty upon those Propositions; which things we have no power to declare, as is well known to the honourable houses. By command of the Commissioners for the Parliament of Scotland.

"JOHN CHIESLEY."

Examination taken concerning a Plot, to be executed if the King should come to London.] Jan. 7. The commons sent up a message to acquaint the lords with the following Examination taken by a committee of their house, concerning some Plots intended to have been executed upon the king's coming to London; in which it was resolved to secure the city, the tower, and the parliament before they meddled with any private business:

....., being examined saith, "That he heard prince Rupert, with many others, swear, That if his uncle could but get into London, though but with 300 men; before they had been there 3 hours he should have 3000, 3000, and 3000 to that; and that he himself would cut all the throats of the Round-Head rogues that sit in the parliament.—That prince Rupert said, his uncle had many friends in London which durst not shew themselves; but when his uncle came they would, and then he did not doubt but to make good all their losses; and prince Maurice confirmed and agreed to these speeches of his brother by many oaths. And this the examinant is ready to make good to be most true upon his oath. And this examinant farther saith, That all the reformadoes being about to guard his majesty's person on new year's eve, at night it was noised that his majesty would go to London the next morning, whether the Letters from the parliament came or no; upon this there was a bustle in Oxford to provide to go immediately; and that it was the general voice, that their party is so great here, as they have assurance from those who come from London daily without interruption, that, if his majesty come, they shall easily destroy the city and the parliament, and take all to themselves: and that upon the stop of his majesty's coming, the next day it was ordered, That all the troopers should quarter in and about Oxford upon free quarter for a fortnight, because they hoped to come away before that time."

It is observable, That the proof of this Plot rested upon the credit of one single witness without a name: and when it is also remembered, that about this time prince Rupert was in disgrace with the king, there seems some

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reason to apprehend, that this Plot was only a contrivance of the Independent party, whose views were inconsistent with any peace at all, and who were apprehensive that the king's Personal Treaty with the parliament might create too good an understanding between them.

Jan. 13. All this time the parliament's last Answer to the king was staid from sending away, for want of the Scots Commissioners consent to it. The passage they objected to, with their reasons for so doing, we have already given: however, it was at last agreed, that the members of both houses, who were of the committee of both kingdoms, should have power to settle this matter with the Scots, and alter the sentence objected to as they thought fit: but, not before this day, was the Letter agreed to and signed by all parties, in which the passage objected to was altered thus: 'That 'Propositions from both kingdoms were spee-'dily to be sent to your majesty, which we 'conceive to be the only way for obtaining an 'happy and well-grounded Peace; and your 'majesty's assent unto those Propositions will 'be an effectual means for giving satisfaction 'and security to your kingdoms.'

The King's Fifth Message for Peace, Jan. 15.] Jan. 16. Before the parliament's last Answer could reach the king, his majesty had dispatched another Letter to them, which was read in the house of lords this day as follows:

For the SPEAKER of the House of Peers pro tempore, to be communicated to the two Houses of Parliament at Westminster, and the Commissioners of the Parliament of Scotland.

"C. *R.* But that these are times wherein nothing is strange, it were a thing much to be marvelled at, what should cause this unparalleled long detention of his majesty's trumpet, sent with his gracious Message of the 26th Dec. last, Peace being the only subject of it, and his majesty's Personal Treaty the means proposed for it. And it were almost as great a wonder, that his majesty should be so long from enquiring after it, if that the hourly expectation thereof had not in some measure satisfied his impatience. But lest his majesty, by his long silence, should condemn himself of carelessness in that which so much concerns the good of all his people, he thinks it high time to enquire after his said trumpeter: for since all men, who pretend any goodness, must desire Peace, and that all men know Treaties to be the best and most Christian way to procure it; and there being as little question that his majesty's personal presence in it is the likeliest way to bring it to a happy issue, he judges there must be some strange variety of accidents which causeth this most tedious delay: wherefore his majesty earnestly desires to have a speedy account of his former Message, the subject whereof is Peace, and the means his personal presence at Westminster; where, the government of the Church being settled as it was in the times of the happy and glorious reigns of queen Elizabeth and king James, and full liberty for the ease of their consciences who will not communicate in that service established by law, and likewise for the free and public use of the Directory (prescribed, and, by command of the two houses of parliament, now practised in some parts of the city of London) to such as shall desire to use the same; and all forces being agreed to be disbanded, his majesty will then forthwith (as he hath in his Message of the 29th Dec. last already offered) join with his two houses of parliament in settling some way for the payment of the Public Debts to his Scotch subjects, the city of London, and others. And his majesty having proposed a fair way for the settling of the Militia, which now, by this long delay, seems not to be thought sufficient security, his majesty (to shew how really he will employ himself at his coming to Westminster for making this a lasting Peace, and taking away all jealousies, how groundless soever, will endeavour, upon debate with his two houses, so to dispose of it, as likewise of the business of Ireland, as may give to them and both kingdoms just satisfaction; not doubting also but to give good contentment to his two houses of parliament in the choice of the lord admiral, the officers of state, and others, if his two houses, by their ready inclinations to Peace, shall give him encouragement thereunto.—Thus his majesty having taken occasion, by his just impatience, so to explain his intentions that no man can doubt of a happy issue to this succeeding Treaty; if now there shall be so much as a delay to the same, he calls God and the world to witness who they are that not only hinder, but reject this kingdom's future happiness: it being so much the stranger, that his majesty's coming to Westminster (which was first the greatest pretence for taking up arms) should be so much as delayed, much less not accepted or refused. But his majesty hopes that God will no longer suffer the malice of wicked men to hinder the peace of this too-much afflicted kingdom. Given at the Court at Oxford, 15th Jan. 1645."

The City of London petition for a speedy Settlement of Church Government.] This day, the lord mayor, aldermen &c. of London, presented a Petition to the lords, importing, "That they desired a speedy Settlement of Church-Government might be ordained in the city, for the suppressing of all private meetings on the Lord's day, which were multiplied to such a height, that there were no less than 11 in one parish: that there were instances of women-preachers in these meetings, and of new and strange doctrines and blasphemies vented in them; whereby they said, the godly orthodox ministers were neglected and contemned as if they were antichristian, and acted as under the tyranny of a prelatical government, &c." The lords gave them strong assurances of their firm attachment to presbytery, according to their Covenant, and of their best endeavours to answer the desires of the petitioners.

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Another Message from the King, Jan. 17 requiring an Answer to all his former.] Jan. 19. The Speaker presented another Letter to the lords, from the King, which was read in hæc verba:

For the SPEAKER of the House of Peers pro tempore. To be communicated to the two Houses of Parliament at Westminster, and the Commissioners of the Parliament of Scotland.

"C. *R.* His majesty thinks not fit now to answer those aspersions which are returned as arguments for his non-admittance to Westminster for a Personal Treaty, because it would inforce a style not suitable to his end, it being the Peace of these miserable kingdoms: yet thus much he cannot but say to those who have sent him this Answer, That if they had considered what they had done themselves in occasioning the shedding of so much innocent blood, by withdrawing themselves from their duty to him in a time when he had granted so much to his subjects, and in violating the known laws of the kingdom to draw an exorbitant power to themselves over their fellow-subjects, (to say no more, to do as they have done) they could not have given such a false character of his majesty's actions: wherefore his majesty must now remember them, that having, some hours before his receiving of their Paper of the 13th Jan. sent another Message to them of the 15th; wherein, by divers particulars, he enlargeth himself to shew the reality of his endeavours for Peace by his desired Personal Treaty, which he still conceives to be the likeliest way to attain to that blessed end, he thinks fit, by this Message, to call for an Answer to that, and indeed to all the former; for certainly no rational man can think their last Paper can be any Answer to his former demands, the scope of it being, that because there is a war, therefore there should be no treaty for Peace. And is it possible to expect that the Propositions mentioned should be the grounds of a lasting Peace, when the persons that send them will not endure to hear their own king speak? But whatever the success hath been of his majesty's former Messages, or how small soever his hopes are of a better, considering the high strain of those who deal with his majesty, yet he will neither want fatherly bowels to his subjects in general, nor will he forget that God hath appointed him for their king, with whom he treats: wherefore he now demands a speedy Answer to his last and former Messages. Given at our Court at Oxon, this 17th Jan. 1645."

Mr. Rushworth's Letter concerning the taking of Dartmouth.] Jan. 22. A message was brought from the commons by Mr. Nichols and others, who presented to their lordships the following Letter relating to the taking of Dartmouth:

For the hon. Wm. Lenthall, esq. Speaker of the Hon. House of Commons.

"Sir; If I write confusedly, I shall humbly crave your pardon; for we have been up all night, and things are not yet in a settled condition. In my former Letters I acquainted you how the Army was engaged before Dartmouth, a place of as great, if not greater, concernment than Exeter. It required some few days time to be thoroughly informed of the state of the town, after which it was unanimously resolved to storm the same; for we find more loss of men by lingering sieges than by sudden storms. Every commander was allotted to his post, and they as faithfully and valiantly performed their duties; every man gaining the command of every foot or place that fell to his lot, with all the ordinance, arms, and ammunition.—The storm began about one o'clock this morning. After the enemy had discharged their cannon once, our men got under the shot, possessed the cannon, and turned them against the enemy; for we had no pieces at all of our own, the weather not admitting any to be brought. After the line was cleared, and some works taken, we became masters of the whole town, and then of Tonstall-Church, Mount-Flagon, Paradise Fort, and the Old Castle, in which Castle are five great Iron Guns which commanded the river. In the storm our men possessed themselves of about 60 pieces of ordinance.—The two great forts are not yet taken, being a mile from the town, but if they accept not of quarter while they may have it, in the opinion of the general, lieut. general, and commanders, we may reduce them by force in 48 hours; and batter them in pieces with their own great guns, which we have taken in the town, one whereof is a brass demy cannon.—Truly, I never saw men fall on more chearfully and merrily. Mr. Dell and Mr. Peters preached unto them, and put much life into them; and God was wonderfully merciful to us, for we had but one man slain and but few wounded, though the forts played most fiercely on the soldiers. The commanders and forces that were engaged in the storm were col. Hammond and his regiment; col. Lambert and his regiment; col. Fortescue and his regiment; lieut. col. Pride with col. Harley's regiment; and a good party out of the general's and col. Ingoldby's regiments, and, lastly, 200 seamen and some dragooners; and though the town was entered thus by storm, yet very little prejudice was done to the townsmen, the soldiers being fair-conditioned beyond expectation. They grumbled a little they had not the reward promised at Bristol to save that town from plundering, which city deserves to feel the smart of plunder for their unthankfulness for the great favours they found from the army. The messenger is in haste to be gone, and for further particulars the house will suddenly receive an account. It hath pleased God wonderfully to bless the army in this expedition so far West; not only to scatter the enemy's horse, but to hinder the relief intended for Exeter; and interrupted, nay quite broke, the young generalissimo in

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his* new levies; relieved Plymouth, and inforced the enemy into Cornwall; leaving a force sufficient to besiege Exeter. If the army had formerly advanced, leaving that city unbesieged, as it was much desired, I think that service would not have been of so much advantage as the taking it this season. Whilst you have commanders that are faithful, if you will let them put their designs in execution when their own convenience and judgment lead them to it, I hope you will have no cause to repent it; but it is hard to please all.—Just now the enemy beats a parley in the two great forts, so you may be assured we may have them on any terms. The general sent the comptroller to summon the two men of war in the river, who yielded immediately; the one was capt. Johnson's ship of Newcastle, of ten pieces of ordinance; the other of 14, belonging to the governor of Barnstaple. In Tonstall-Church we took 120 prisoners, about 400 more in the town and other works. I humbly take my leave, and remain, your, &c. Jo. RUSHWORTH. Dartmouth, Jan. 19, 1645, 4 in the morning."

A day of Thanksgiving was ordered by both houses for this welcome intelligence.

Jan 23. A Letter from general Fairfax was presented to the lords and read, containing some farther particulars relating to the storming of Dartmouth. This Letter from the general was sent up by the famous Hugh Peters, one of the general's chaplains; who acquainted their lordships with the several providences of God to the army; as likewise with the present condition of the enemy, and what prisoners they had taken at Dartmouth: and that there were endeavours to carry the prince beyond the sea; as also of the activity and unity of the army under sir T. Fairfax. He likewise presented to the house divers colours of horse taken at Bovy-Tracy, and others taken in Dartmouth: a Popish Altar-Stone and a Mass-Book, and several Papers and Letters taken in the governor's study: that two of the prisoners, viz. the earl of Newport and Mr. Denham, son to the late baron Denham, who had been serviceable to the general in gaining of the forts which held out at Dartmouth, after the town was taken, were sent up, upon their parole to render themselves prisoners within ten days: and further, that, by command of the general and council of war, he was commanded to request, that the army might be forthwith recruited, and the cloaths that are provided speeded to them, they having yet received none of them. Hereupon both houses ordered a Letter to be sent to sir T. Fairfax, to take notice of his great services, and of his expressions and affections; and to acquaint him what esteem the houses had of them; and what they had done in consideration of them. The commons referred it to the committee of the army, to consider how the 5000*l.* per annum, land of inheritance, by former Vote ordered to be bestowed upon sir T. Fairfax, general, may be speedily settled upon him and his heirs for ever, and he be put into the present possession of it: and that the committee do bring in an Ordinance to this purpose with all convenient speed.—It was also referred to the committee of the West, to take consideration of Mr. Peters, for his present charge and necessities, and for a certain future subsistance, in some convenient proportion considerable to his services and affections.

Jan. 24. The committee of both kingdoms acquainted the lords, that one from Oxford informed them, That he heard there the king should tell the Junto that he would come to London, if he was sure to be shot to death as soon as he came there. But no further notice is taken of this extraordinary piece of intelligence.

The King's Reply, Jan. 24, to the Parliament's last Answer of Jan. 13.] Jan. 26. Another Letter from the king was presented to the house, and read. It was a further Reply to the parliament, and was as follows:

For the SPEAKER of the House of Peers pro tempore. To be communicated to the two Houses of Parliament at Westminster, and to the Commissioners of the Parliament of Scotland.

"C. *R.* The procuring Peace to these kingdoms by Treaty is so much desired by his majesty, that no unjust aspersions whatsoever, or any other discouragements, shall make him desist from doing his endeavour therein, until he shall see it altogether impossible: and therefore he hath thought fitting so far only to make Reply to that Paper or Answer which he hath received of the 13th instant, as may take away those objections which are made against his majesty's coming to Westminster, expecting still an Answer to his Messages of the 15th and 17th, which he hopes by this time have begotten better thoughts and resolutions in the members of both houses. And first, therefore, whereas in the said last Paper it is objected as an impediment to his majesty's personal Treaty, That much innocent blood hath been shed in this war by his majesty's commissions, &c. this he will not now dispute, (it being apparent to all the world by whom that blood hath been spilt) but rather presseth that there should be no more; and, to that end only he hath desired this Personal Treaty, as judging it the most immediate means to abolish so many horrid confusions in all his kingdoms. And it is no argument to say, That there shall be no such Personal Treaty because there have been wars, it being a strong inducement to have such a Treaty to put an end to the war. Secondly, That there should be no such Personal Treaty, because some of his Irish subjects have repaired to his assistance in it, seems an argument altogether as strange as

* The Prince of Wales; who had, this year, been appointed general of all the king's forces in England, and also of the Western Association.

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the other; as always urging that there should be no physick because the party is sick: and in this particular it hath been often observed unto them, That those whom they call Irish, who have so expressed their loyalty to their sovereign, were indeed, for the most part, English protestants that had been formerly sent into Ireland by the two houses; impossibilitated to stay there any longer by the neglect of those that sent them thither, who should there have better provided for them. And for any foreign forces; it is too apparent that their armies have swarmed with them, when his majesty hath had few or none.—And whereas, for a third impediment, it is alledged, That the prince is in the head of an army in the West, and that there are divers garrisons still kept in his majesty's obedience, and that there are forces in Scotland; it must be as much confessed as that as yet there is no Peace; and therefore it is desired that, by such a Personal Treaty, all these impediments may be removed. And it is not here amiss to put them in mind, how, long since, his majesty did press a disbanding of all forces on both sides, the refusing whereof hath been the cause of this objection. And whereas exception is taken, That there is a time limited in the Proposition for his majesty's Personal Treaty, thereupon inferring that he should again return to hostility; his majesty protesteth, That he seeks this Treaty to avoid future hostility, and to procure a lasting Peace; and if he can meet with like inclinations to Peace in those he desires to treat with, he will bring such affections and resolutions in himself as shall end all these unhappy bloody differences.—As for those engagements which his majesty hath desired for his security; whosoever shall call to mind the particular occasions that inforced his majesty to leave his city of London and Westminster, will judge his demand very reasonable and necessary for his safety. But he no way conceiveth how the lord mayor, aldermen, common council, and militia of London, were either subject or subordinate to that authority which is alledged, as knowing neither law nor practice for it; and if the two armies be, he believes it is more than can be paralleled by any former times in this kingdom. Nor can his majesty understand how his majesty's seeking of a Personal security can be any breach of privilege; it being more likely to be infringed by hindering his majesty from coming freely to his two houses.—As for the objection, That his majesty omitted to mention the settling Religion, and securing the peace of his native kingdom, his majesty declares, That he conceives it was included in his former, and hath been particularly mentioned in his latter Message of the 15th present: but, for their better satisfaction, he again expresseth that it was, and ever shall be, both his meaning and endeavour in this Treaty desired; and it seems to him very clear that there is no way for a final ending of such distractions as afflict this kingdom, but either by treaty or conquest; the latter of which his majesty hopes none will have the impudence or impiety to wish for: and for the former, if his personal assistance in it be not the most likely way, let any reasonable man judge; when, by that means, not only all unnecessary delays will be removed, but even the greatest difficulties made easy: and therefore he doth now again earnestly insist upon that Proposition, expecting to have a better Answer upon mature consideration. And can it be imagined that any Propositions will be so effectual, being formed before a Personal Treaty, as such as are framed and propounded upon a full debate on both sides? Wherefore his majesty, who is most concerned in the good of his people, and is most desirous to restore peace and happiness to his three kingdoms, doth again instantly desire an Answer to his said former Messages, to which he hath hitherto received none. Given at our Court at Oxon 24th Jan. 1645."

Cromwell's Command in the Army further continued.] Jan. 27. Cromwell's command in the army, as lieutenant-general of the horse under sir T. Fairfax, having been prolonged from time to time, this day an Ordinance was made for adding six months more to his commission, at the expiration of the present; from which time we do not find that he ever gave himself the trouble to apply for any farther lease of his power.

Intercepted Letters, relating to the Earl of Glamorgan's Negotiations in Ireland, laid before the Parliament.] The lords Journals inform us, That several Papers relating to the Affairs of Ireland, had been lately transmitted to parliament; from whence it appeared to both houses, That the king, by the means of lord Herbert, had entered into a Negotiation with the Rebels in that kingdom, for bringing over 10,000 of them to his assistance, in reducing the parliament of England. This nobleman was the eldest son and heir apparent of the marquis of Worcester; and though he is stiled in the Journals only lord Herbert, yet the king addressed his letters to him, in the lifetime of his father, as earl of Glamorgan; which title he usually bore. In order to account how the houses got possession of Papers of such consequence, it will be necessary to remember, that in July the town of Sligo was taken by the English, and a garrison placed there. In October following the Irish endeavoured to retake it, but were defeated in that attempt, and drove back with great execution. Amongst the slain was the archbishop of Tuam; the rebels' president of Connaught, and one of their supreme council of Kilkenny, who attended their army at this time to visit his diocese, and to execute an order for the arrears of his Bishoprick. Amongst his baggage were found a bull of the Pope's, and several Letters between him and his agents from Rome, Paris, &c. with a copy of certain Articles of Agreement between the earl of Glamorgan and some of the chief rebels touching clergy-livings, together with the earl's Oath relating to it. These Papers were

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printed by order of parliament, and demand our notice; as the discovery and seizure of them gave occasion to many very remarkable Votes, Orders, and Messages. They were published under this title, 'The earl of Glamorgan's Negotiations and colourable Commitment in Ireland demonstrated; or the Irish Plot, &c."

When the forementioned Negotiation came to be known, the earl of Glamorgan was committed to prison by the lord Digby, one of the principal secretaries of state, then in Ireland, who wrote the following account of it to secretary Nicholas:

"My good brother; You will receive by this dispatch a particular account, from my lord-lieutenant, of the state of the Treaty here, and of those conditions upon which he was hopeful suddenly to have concluded such a Peace as would have afforded his majesty powerful and timely aids from this kingdom, had not the unfortunate madness (for I can give it no other name) of my lord of Glamorgan, and the necessary proceedings thereupon, cast all things back into a posture as uncertain and more dangerous than ever. You will receive from my lord-lieutenant and the council here, a punctual relation of the matter of fact; and it is referred to me to convey unto you, and by you to his majesty, the circumstances and reasons of the whole proceedings against his lordship. About ten days since, matters of the Treaty growing near to a conclusion, and in confidence thereof preparations being made by my lord of Glamorgan and the Irish, as they assured us, for the speedy sending over of 3000 men for the relief of Chester, which were to be made up 10,000 before the beginning of March, it was thought necessary that we should confer with the said earl of Glamorgan and some of the Irish commissioners; to the end that, before my lord-lieutenant's final consent to the articles of the Treaty, the business of the king's supply might be reduced from discourse to a certainty, and directed in the most advantageous way for his service: to which end (we little suspecting then what was since discovered) the said earl of Glamorgan, and some of the Irish commissioners then at Kilkenny, were earnestly invited hither both by my lord-lieutenant and myself. Upon Monday last, the day before the said earl of Glamorgan was expected in town, my lord-lieutenant received out of the North, from an honest and well-affected person, the copy which is sent you of my lord of Glamorgan's Articles and Oath with the confederate Catholics, assured to have been found in the titular bishop of Tuam's pocket, killed in October last at Sligo. At first the thing appeared so impossible, that we were apt to think it a forgery and plot of the parliamentary rebels against the king; 'till considering the circumstances, formalities, and punctualities thereof, we grew to apprehend somewhat more in the matter; and, soon after, a second and third copy of the same coming to other persons, all with Letters to the effect of this inclosed, it was then thought high time to take the business into most serious consideration: which being done by my lord-lieutenant and myself, assisted by some of the wisest and best affected persons here, we soon concluded, That if these things were once published, and that they could be believed to be done by his majesty's authority, they could have no less fatal an effect than to make all men, so believing, conclude all the former scandals cast upon his majesty, of the inciting this Irish Rebellion, true: that he was a papist and designed to introduce popery, even by ways the most unkingly and perfidious; and consequently, that there would be a general revolt from him of all good Protestants with whom this opinion could take place. Now when we consider the circumstances convincing the truth of this transaction on my lord of Glamorgan's part, and how impossible almost it was for any man to be so mad as to enter into such an agreement, without powers from his majesty; and there being some kind of a formal authority vouched in the Articles themselves, we did also conclude, That probably the greatest part of the world, who had no other knowledge of his majesty than by outward appearances, would believe this to be true; and do according to that belief, unless his majesty were suddenly and eminently vindicated by those who might justly pretend to know him best. Upon this ground it was also concluded by us, That less than an arrest of the earl of Glamorgan, upon suspicion of high treason, could not be a vindication of his majesty eminent or loud enough; and that this part could not properly, nor effectually, be performed by any other person than myself, both in regard of my place and trusts near his majesty: That the business of Ireland had passed, for the most part, through my hands: That I attend his majesty about the time of the date of his majesty's pretended commission: That since that time I had, by his majesty's command, written to the Irish Commissioners a Letter, whereof I send you a copy, so diametrically opposite to the said earl's transactions: and, lastly, in regard that my lord-lieutenant, to whom otherwise his majesty's vindication in this kind might properly have belonged, was generally thought to be unworthily cozened and abused in the matter, in case there were any such secret authority given by his majesty to the earl of Glamorgan.—This being our unanimous judgment of what was fit to be done, and by whom, the only question then remaining was to the point of time; in which we were also of opinion, That if it were deferred till the business, growing publick otherwise, should begin to work its mischief, his majesty's vindication would lose much of its force, and be thought rather applied to the notoriety than the impiety of the thing; and rather to the pernicious effects, than to the detestable cause itself: notwithstanding, I must confess unto you, that the consideration of frustrating the supplies of 3000 men which were so confidently affirmed to be in readiness for the relief of Chester, in case the condition of that

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place could not bear the delay which this might occasion, wrought in us a very great suspension of judgment, whether the proceedings against my lord of Glamorgan should not be forborne till that so necessary supply were sent away. But the case being more strictly examined, we found, first, That, by the lord of Glamorgan's Oath, the forces were not to be hazarded till his majesty's performance of the said earl's conditions. And, 2dly, That the said Supply was never intended by my lord of Glamorgan and the Irish, till the Articles of Peace were consented to; which the lord-lieutenant durst in no wise do, without a preceding vindication of the king's honour, since this transaction of my lord of Glamorgan's was known unto him, and known to be known unto him, by those who wanted neither art nor malice to make use of it. So that, the necessary forbearance to conclude the Treaty frustrating as much the relief of Chester as the sudden and vigorous proceedings against my lord of Glamorgan could do, our resolutions did, in the end, determine upon that course; when, at the instant, to remove all objections, information was brought us, That the thing was already public throughout the town, and began to work such dangerous effects as, in truth, I do not believe that my lord-lieutenant, or one of the king's faithful servants, could have been many hours safe in the delay of this his majesty's and their vindication: which has now been so seasonably applied, as that it hath wrought here not only a general satisfaction in all moderate men, but even such a conversion in many less well-inclined, that whereas, before, a Peace with the Irish, even upon those unavoidable conditions upon which my lord-lieutenant must needs within few days have concluded it, would hardly have been published in this place without very much danger, men's minds are so secured and settled by this proceeding, as that I believe the Peace now would be embraced upon those, and perhaps upon harder terms, without much mutiny or repining. This being so, our chief remaining fear is, lest what has been done against my lord of Glamorgan should so far incense the Irish, as to drive them to sudden extremes; things here, on his majesty's part, being in so ill a condition to enter again upon a war. Unto this danger the best preventives we could think of are applied; this inclosed Letter, written to my lord of Muskerry by my lord-lieutenant; apt persons employed to Kilkenny, to acquaint them with the reasons, and necessities of this proceeding; and lastly, the Articles of Peace sent unto them, with my lord-lieutenant's assent, in the very terms proposed and acquiesced in by themselves in the last results of this long Treaty; which, in all probability, will have one of these two effects, either to make them conclude a Peace, notwithstanding this intervening accident, whereby Chester may be speedily relieved, and his majesty further supplied this spring; or make it break so foully on their side, as to divide from them the most considerable of their party. Whatever the event be, my lord-lieutenant and I shall comfort ourselves with this satisfaction, that we have done what belonged to men of honour, faithful to their king and to their religion, and as wisely as ours and our best friends understanding could direct us; leaving the rest to God Almighty, whom we beseech to direct his majesty to that course herein on his part, which may be correspondent to our faithful endeavours; and that he will bless them with as good effects upon the minds of all honest men towards his majesty's vindication in that kingdom, as I make no doubt but what we have done will have in this, when seconded and pursued by those further directions from his majesty, which I am sure his own wisdom and princely indignation to find his honour, conscience, and piety, thus infamously traduced, will dictate unto him, without further advice from Yours, GEORGE DIGBY. Dublin, Jan. 4, 1645. P. S. I believe you will be as much startled as I was, to find the Signet mentioned in my lord of Glamorgan's transactions; but it seems that was mistaken, and that he now pretends to some kind of authority under the king's pocket seal, which I certainly believe to be as false as I know the other."

Soon after the earl of Glamorgan's commitment, he wrote the following Letter to his lady on that occasion:

"My dearest heart; I hope these will prevent any news which shall come unto you of me, since my commitment to the castle of Dublin; to which, I assure thee, I went as chearfully and as willingly as they could wish, whosoever they were by whose means it was procured; and should as unwillingly go forth, were the gates both of the castle and town open unto me, until I were cleared, as they are willing to make me unserviceable to the king, and lay me aside, who have procured for me this restraint. When I consider thee a woman, as I think I know you are, I fear lest you should be apprehensive; but when I reflect that you are of the house of Thomond, and that you were once pleased to say these words unto me, 'That I should never, in tenderness 'of you, desist from doing what in honour I 'was obliged to do,' I grow confident that in this you will now shew your magnanimity; and, by it, the greatest testimony of affection that you can possibly afford me: and am also confident that you know me so well, that I need not to tell you how clear I am, and void of fear, the only effect of a good conscience; and that I am guilty of nothing that may testify one thought of disloyalty to his majesty, or what may stain the honour of the family I come of, or set a brand upon my future posterity. Courage, my heart! were I amongst the king's enemies you might fear; but being only a prisoner amongst his friends and faithful subjects, you need doubt nothing but that this cloud will be soon dissipated by the sunshine of the king my master; and did you but know how well and merry I am, you would

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be as little troubled as myself, who have nothing that can afflict me, but lest your apprehension might hurt you; especially since all this while I could get no opportunity of sending, nor yet by any certain probable means, but by my cousin Bruerton, Mr. Mannering's our cousin Constable of the Castle, and my lord-lieutenant's leave: and I hope you and I shall live to acknowledge our obligation to them, there being nothing in this world that I desire more, than you should at least hear from me: and believe it sweetheart, were I before the parliament in London, I could justify both the king and myself in what I have done: and so I pray acquaint my father, who, I know, is so cautious that he would hardly accept a Letter from me; but yet I presume humbly to ask his blessing, and as heartily I send mine to pretty Mall; and I hope this day or to-morrow will set a period to my business, to the shame of those who have been the occasioners of it. But I must needs say, from my lord-lieutenant and the privy-council here, I have received as much justice, nobleness, and favour, as I could possibly expect. The circumstances of these proceedings are too long to write unto you; but I am confident all will prove to my greater honour; and my right honourable accuser, my lord Digby, will be at last rectified, and confirmed in the good opinion which he is pleased to say he ever had of me hitherto, and as the greatest affliction he ever had, to do what his conscience inforced him to; and indeed did wrap up the bitter pill of the impeachment of suspicion of high treason in so good words, as that I swallowed it with the greatest ease in the world; and it hath hitherto had no other operation, than that it hath purged melancholy; for as I was not at the present any way dismayed, so have I not since been any way at all disheartened; so I pray let not any of my friends, that is there, believe any thing until ye have the perfect relation of it from myself. And this request I chiefly make unto you, to whom I remain a most faithful and most passionately devoted husband and servant, GLAMORGAN. Remember my service to my brother, my cousin Brown, and the rest of my good friends."

Many expressions in the foregoing Letters are of too much consequence to be abridged without injury; but, for brevity's sake, we have contented ourselves with an abstract of the other Papers, as being more matter of form; and this the rather because they are all printed at large in the Collections of the times.

"In the beginning of the earl of Glamorgan's Treaty he sets forth the authority granted him by the king, under his signature royal, to treat with the confederate Roman Catholicks in Ireland, on such matters as the lord-lieutenant cannot at present be seen in, as not fit for his majesty at present to own publickly; wherefore he was to act with all possible secrecy: but whatever he engages for, the king promises, on the word of a king and a Christian, to ratify, Dated from Oxford, March 12, 1644."

The following Articles were agreed upon, August 25, 1645, between the earl of Glamorgan, in behalf of his majesty and his successors, and the viscount Mountgarret, lord president of the supreme council of the Confederate Catholicks, and the other commissioners: "1. That the Roman Religion should be publickly exercised in Ireland. 2. That the Roman Catholicks enjoy all the Churches they have possessed at any time since Oct. 23, 1641. 3. That they be exempt from the jurisdiction of the Protestant clergy, and not molested for the exercise of their jurisdiction over their Catholic flocks. 4. That an act be passed in Ireland to repeal all laws, and take off all incapacities and penalties, made against Roman Catholics; so that they not only enjoy the free exercise of their religion, but be capable of all public trusts. 5. That neither the marquis of Ormond, or any future lord-lieutenant, give them any disturbance. 6. The earl engages the king's royal word to confirm all these Articles. 7. The commissioners shall engage the public faith of the kingdom to send 10,000 men, under the earl, to serve his majesty."

Other Articles were also signed, wherein the earl of Glamorgan covenants, "That the Roman Catholick Clergy shall for ever hold all such lands, tenements, tythes, and hereditaments, by them respectively enjoyed within Ireland since Oct. 23, 1641; and all other lands and emoluments belonging to the clergy in that kingdom, other than such as are actually enjoyed by the Protestant clergy: and the lords Mountgarret and Muskerry, and the rest of the council, grant, on behalf of the confederate Catholicks, that two parts in three of these emoluments granted to the clergy, be applied for 3 years to the use of the army in his majesty's service, and only one third part reserved for the use of the clergy. The like disposition to be renewed by the clergy, from 3 years to 3 years, during the war."

About the time also of the before-mentioned Battle of Sligo, John Baptist Rinuccini, the Pope's nuncio, and archbishop of Fermo, arrived in the river of Kilmare, in a frigate of 21 guns, with 26 Italians of his retinue, besides regular and secular priests; bringing, as was said, besides apostolical benedictions, some arms, ammunition, and Spanish gold. In acknowledgment whereof, the supreme Catholick Council made an address to the Pope, Jan. 7, rendering him "their humble thanks for sending them so illustrious a nuncio, whom they receive with the highest joy, especially informing them of his holiness's affection to them and their cause; hoping that, by the support of his benediction, counsel and assistance, the Catholick Religion may be restored in Ireland."

The King's Message in Vindication of himself; with further Proposals of Peace.] Jan. 31. The King, in order to vindicate himself from so high a charge as seemed to arise

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against him from the foregoing Papers, sent another Message to the parliament, which was read in the house of lords this day; and in which were contained other Proposals for Peace, as follows:

For the SPEAKER of the House of Peers, pro tempore. To be communicated to the two Houses of Parliament at Westminster, and the Commissioners of the Parliament of Scotland.

"C. R. His majesty having received information, from the lord-lieutenant and council in Ireland, That the earl of Glamorgan hath, without his or their directions or privity, entered into a Treaty with some commissioners of the Roman Catholick party there, and also drawn up and agreed unto certain Articles with the said commissioners, highly derogatory to his majesty's honour and royal diguity, and most prejudicial unto the Protestant Religion and Church there in Ireland: whereupon the said earl of Glamorgan is arrested, upon suspicion of high treason, and imprisoned by the said lord-lieutenant and council, at the instance and by the impeachment of the lord Digby, who (by reason of his place and former employment in these affairs) doth best know how contrary that proceeding of the said earl hath been to his majesty's intentions and directions, and what great prejudice it might bring to his affairs, if those proceedings of the earl of Glamorgan should be any ways understood to have been done by the directions, liking, or approbation of his majesty: his majesty having, in his former Messages for a Personal Treaty, offered to give contentment to his two houses in the business of Ireland, hath now thought fitting, the better to shew his clear intentions, and to give satisfaction to his said houses of parliament and the rest of his subjects in all his kingdoms, to send this Declaration to his said houses, containing the whole truth of the business; which is, That the earl of Glamorgan having made offer unto him to raise forces in the kingdom of Ireland, and to conduct them into England for his majesty's service, had a commission to that purpose, and to that purpose only: That he had no commission at all to treat of any thing else, without the privity and directions of the lord-lieutenant; much less to capitulate any thing concerning religion, or any property belonging either to Church or Laity: That it clearly appears by the lord-lieutenant's proceedings with the said earl, that he had no notice at all of what the said earl had treated and pretended to have capitulated with the Irish, until, by accident, it came to his knowledge. And his majesty doth protest, That, until such time as he had advertisement that the person of the said earl of Glamorgan was arrested and restrained, as is abovesaid, he never heard, nor had any kind of notice, that the said earl had entered into any kind of Treaty or Capitulation with those Irish commissioners; much less that he had concluded or signed those Articles so destructive both to Church and State, and so repugnant to his majesty's public professions, and known resolutions. And for the further vindication of his majesty's honour and integrity herein, he doth declare, That he is so far from considering any thing contained in those Papers or Writings framed by the said earl and those commissioners with whom he treated, as he doth absolutely disavow him therein; and hath given commandment to the lord-lieutenant and the council there, to proceed against the said earl, as one who, either out of falseness, presumption, or folly, hath so hazarded the blemishing of his majesty's reputation with his good subjects, and so impertinently framed those Articles of his own head, without the consent, privity, or directions of his majesty or the lord-lieutenant, or any of his majesty's council there. But true it is that, for the necessary preservation of his majesty's Protestant Subjects in Ireland, whose case was daily represented unto him to be so desperate, his majesty had given commission to the lord-lieutenant to treat and conclude such a Peace there as might be for the safety of the crown, the preservation of the Protestant Religion, and no way derogatory to his own honour and public professions.—But to the end that his majesty's real intentions in this business of Ireland may be the more clearly understood, and to give more ample satisfaction to both houses of parliament and the commissioners of the parliament of Scotland, especially concerning his majesty's not being engaged in any peace or agreement there; he doth desire, if the two houses shall resolve to admit of his majesty's repair to London for a Personal Treaty, as was formerly proposed, that speedy notice thereof be given to his majesty, and a pass or safe-conduct with a blank sent, for a messenger to be immediately dispatched into Ireland, to prevent any accident that may happen to hinder his majesty's resolution of leaving the managing of the business of Ireland wholly to the two houses, and to make no Peace there but with their consent; which, in case it shall please God to bless his endeavours in the treaty with success, his majesty doth hereby engage himself to do.—And for a further explanation of his majesty's intentions in his former Messages, he doth now declare, That if his personal repair to London, as aforesaid, shall be admitted, and a Peace thereon shall ensue, he will then leave the nomination of the persons to be intrusted with the militia, wholly to his two houses; with such power and limitations as are expressed in the Paper delivered by his majesty's commissioners at Uxbridge, the 6th Feb. 1644, for the term of 7 years, as hath been desired, to begin immediately after the conclusion of the Peace, the disbanding of all forces on both sides, and the dismantling of the garrisons erected since these present troubles; so as, at the expiration of the time before-mentioned, the power of the Militia shall intirely revert and remain as before.—And, for their further

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security, his majesty (the peace succeeding) will be content that, pro hac vice, the two houses shall nominate the admiral, officers of state, and judges, to hold their places during life; or, quamdiu se bene gesserint, which shall be best liked, to be accountable to none but the king and the two houses of parliament.—As for matter of Religion; his majesty doth further declare that, by the liberty offered in his Message of the 15th present, for the ease of their consciences who will not communicate in the service already established by act of parliament in this kingdom, he intends that all other protestants, behaving themselves peaceably in and towards the civil government, shall have the free exercise of their religion according to their own way. And, for the total removing of all Fears and Jealousies, his majesty is willing to agree, That, upon the conclusion of Peace, there shall be a general act of oblivion and free Pardon passed by acts of parliament in both his kingdoms respectively. And, lest it should be imagined that, in the making these Propositions, his majesty's kingdom of Scotland and his subjects there have been forgotten or neglected, his majesty declares, That what is here mentioned touching the Militia, and the naming of officers of state and judges, shall likewise extend to his kingdom of Scotland. And now, his majesty having so fully and clearly expressed his intentions and desires of making a happy and well-grounded Peace, if any person shall decline that happiness by opposing of so apparent a way of attaining it, he will sufficiently demonstrate to all the world his intention and design can be no other than the total subversion and change of the antient and happy government of this kingdom, under which the English nation have so long flourished. Given at the Court at Oxon, 29th Jan. 1645."

There is a Memorandum entered in the Journals, of some Blots that were in the original Message of the king's, now read, and now particularly specified: however, it was ordered by the lords, as usual, to be communicated both to the commons and the Scots Commissioners; but with this declaration, That to prevent all misunderstanding, it was to be observed, 'That these Blots were in the King's 'Letter before it came to their lordships.'

This affair occasioned a Vote of both houses, for appointing the lord Lisle, eldest son of the earl of Leicester, and a member of the commons, to be lord lieutenant general of Ireland for one whole year; that all treaties with the rebels in that kingdom should be annulled; that the prosecution of the war against them should be managed by parliament; and that no governor be placed there but by their consent.

Complaints against the Scots Army.] This day, the lord Roberts reported the effect of a conference lately held with the house of commons, "That they, having received some Complaints out of the North concerning the Scots army, had thought fit to acquaint their lordships with the same. Accordingly, a Letter from the committee in Cumberland: another to major Cholmley, from the governor of Carlisle: a third from the committee at York: and a fourth from the committee residing with the army before Newark, were read. Which being done, the lord Roberts reported the following Votes made by the commons thereupon: 1. That in the Scots Army, in this kingdom, there shall not be above 2000 horse and 1000 dragoons, according to the Treaty. 2. That it be referred to the members of both houses, that are of the committee of both kingdoms, to communicate this Vote to the Scots Commissioners, and to take care that the same be observed accordingly." To both which the lords agreed.

Next the foregoing Order brought up from the commons was read: but it was resolved, upon the question, not to agree with them in that Order.

Resolutions of the Commons on the King's Letter, touching the Negotiations with the Irish Rebels, &c.] This day the commons took into consideration the King's Letter again, and came to the following Resolutions upon it: 1. "That the King's Letter hath given no satisfaction touching the lord Herbert's authority to negotiate with the rebels in Ireland. 2. That a copy of the privy-seal, and articles taken in the bishop of Tuam's carriages, shall be sent to the king; with the Answer to this last Letter. 3. That, to-morrow morning, the first business peremptorily, the king's last Letter shall be taken into further consideration: and that Mr. Speaker put the house in mind thereof." Accordingly,

Feb. 3. The commons made the following Orders and Resolutions thereupon: 1. "That it be left to the committee that shall be appointed to prepare an Answer to this Letter, to observe the contrarieties in this Letter to the King's former professions and proceedings, concerning Ireland; and to the Declaration he now holds forth, in this Letter, of leaving the war and peace of Ireland to the houses of parliament. 2. That the committee, in the Answer to this Letter, shall take notice of the king's avowing the granting a commission for raising and bringing over of rebels out of Ireland, to fight against the parliament of England. 3. That, in this Answer, the committee shall take notice both of the uncertainty of the clause concerning the Militia, and that it is conditional: and that, in Answer to it, the houses are sending a Proposition, which does fully express their own desires. 4. That, as to the clause of the General Officers and Judges, the Answer shall take notice, That, in due time, the houses will present such things unto his majesty as shall be convenient thereupon. 5. That this Letter of the King's gives no satisfaction in point of Religion. 6. That a committee be appointed to prepare a Declaration, upon this Letter and the other Letters of the King, for the undeceiving of the people."

Chester taken by the Parliament's Forces.]

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Feb. 7. A day of Thanksgiving was appointed for the giving up the city of Chester to the forces of the parliament. All the ministers within the lines of communication, and ten miles round them, were ordered to have timely notice of this; to the end they might stir up the people to a due thankfulness both for the seasonableness and the greatness of the mercy.

£.2500 per Ann. settled on General Cromwell.] An Ordinance of parliament was this day read in the house of lords, and agreed to, for settling estates, to the value of 2500*l.* a year on Oliver Cromwell, esq. lieutenant-general of the horse, as an encouragement to him and others who shall discharge the like faithful services to the public.

State of the Navy.] Feb. 11. The earl of Warwick presented a List of Ships, belonging to the Navy of England, designed for the next Summer's expedition; which since it shews the great force the parliament were then masters of at sea, we subjoin as follows:

KING'S SHIPS	TONS	MEN	GUNS
St. Andrew	783	260	50
Rainbow	731	240	44
James	875	260	50
Unicorn	703	250	46
Victory	721	226	44
Charles	793	260	50
Leopard	515	160	40
Convertine	619	180	40
Lion	600	170	45
Garland	567	170	40
Bonadventure	557	170	36
Entrance	539	160	40
Antelope	512	160	36
Swallow	478	150	36
Expedition	360	100	26
Providence	360	100	22
John	366	110	28
Fellowship	366	110	28
Globe	333	100	26
Mary-Rose	321	100	28
Warwick	300	90	20
Hector	266	80	22
Cygnet	233	70	18
Sampson	300	60	22
Hind	200	60	17
Star	200	60	16
Greyhound	120	50	12
Roebuck	149	40	—
Crescent	167	50	12
Dove	84	25	6
Tenth Whelp	186	60	18
Kentish Frigate	149	45	—
Rupert	133	40	9
Welcome Pink	133	40	10
Increase	133	40	—
Trial	100	40	10
Royalist	100	40	—
Charles	50	20	6
Green Frigate	—	20	6
Weymouth Frigate	—	40	—
Lilly Frigate	80	45	8
Swan Frigate	—	50	—
Nicodemus	80	45	10
Total of Men	4546		

MERCHANT-SHIPS	TONS	MEN	GUNS
Constant Warwick	300	96	26
Discovery	350	100	28
True Love	260	78	22
President Frigate	250	80	26
Harry	300	90	24
Ark	200	60	16
Magdalene	200	56	16
Defiance	300	90	26
Thomas and Lucy	260	80	20
Moorcock	140	44	10
Samuel	280	75	24
Josselin	196	59	16
Lucy	140	48	12
Hopewell	90	33	10
Messenger	120	40	10
Delight	—	74	—
Hector	300	70	20
Blessing	220	60	18
Total of Men	1233		

The Court of Wards abolished.] Feb. 24. A Vote of the house of commons was brought up to the lords for their concurrence, to take away the Court of Wards, an antient appendage of the crown; and this without asking the king's consent, although, in the reign of king James, the parliament had offered that monarch the sum of 100,000*l.* for it by way of purchase. This affair stands thus entered in the Lords Journals:

"A message was brought from the commons by sir H. Vane, jun. That, in this time of great distractions, wherein the lords and the commons, and the whole kingdom have ventured their lives and fortunes, for a recompence to the whole kingdom they have a right to take away a great burden; therefore have made a Vote, wherein the commons desire their lordships concurrence." The Vote was read as follows:

"That the Court of Wards and Liveries, and all wardships, liveries, primer-seisins and oustre les maines, and all other charges, incident or arising for or by reason of wardship, livery, primer-seisins, and oustre les maines, be from this day taken away: and that all tenures by homage, and all fines, licenses, seisures, and pardons for alienation, and all other charges incident thereunto, be likewise taken away: and that all tenures by knights service, either of his majesty or others, or by knights service or socage in capite of his majesty, be turned into free and common socage." Resolved, upon the question, nem. con. "That this house agrees to this Vote as it is now brought up from the house of commons."

Another Message from the King, Feb. 28, for Peace.] Another Message from the King was this day presented to the lords by their Speaker, which was read in these words:

For the SPEAKER of the House of PEERS pro tempore. To be communicated to the two Houses of Parliament at Westminster, and the Commissioners of the Parliament of Scotland.

"C. *R.* His majesty needs to make no excuse, though he sent no more Messages unto

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you; for he very well knows he ought not to do it, if he either stood upon punctilios of honour or his own private interest; the one being already called in question by his often sending; and the other assuredly prejudged if a Peace be concluded from that he hath already offered, he having therein departed from many of his undoubted rights: but nothing being equally dear unto him as the preservation of his people, his majesty passeth by many scruples, neglects and delays, and once more desires you to give him a speedy Answer to his last Message; for his majesty believes it doth very well become him, after this very long delay, at last to utter his impatience, since that the goods and blood of his subjects cry so much for Peace. Given at the Court at Oxford, the 26th Feb. 1645."

The Scots complain of some scandalous Aspersions on their Nation.] March 2. The Speaker acquainted the lords that a Letter was delivered him from the lord Warriston, one of the Scots Commissioners, which came from the parliament of Scotland, and was read as follows:

For the Right Hon. the LORDS and COMMONS assembled in the Parliament of England, at Westminster.

"St. Andrews, Feb. 10, 1645-6.

"Right Honourable, Being appointed by the parliament of this kingdom, now adjourned, to keep correspondence with the honourable houses of parliament of England; and being intrusted with the pursuance of their desires for the furtherance of the common cause, and the public and mutual good of both kingdoms; we do, in the name of the parliament, and by their authority, certify, That this kingdom, notwithstanding all their sufferings and discouragements, are not moved or shaken from their former resolutions and vows, but will live and die with their brethren of England, in the prosecution of the ends expressed in the Solemn League and Covenant: being confident of the like inclination and resolution of the parliament and kingdom of England against all such groundless suspicions and needless jealousies to the contrary, as bad instruments from the beginning to this day have been, from their envy of our common happiness, and for their own private ends, inventing; and suggesting that all the common troubles which both kingdoms have endured, may end in a public tragedy, to the scandal and grief of the reformed churches, the hardening and strengthening of our common enemies, the making of ourselves the instruments of our own mutual ruin and destruction; and, which is most of all, the dishonour of the great name of our God, with whom we have entered into covenant for the propagation of the gospel, and the advancement of the kingdom of his son. For the present, according to the trust committed unto us, we make our address to both houses in the particulars following, and do not doubt but we shall receive such satisfaction as may be a real testimony of their justice and brotherly kindness. Upon information from our commissioners there, the parliament, before their adjourning, did understand what was written by one calling himself Robert Wright, and informed by another whose name was kept in the dark, and confirmed by a Letter of Mr. Jermin's to the lord Digby, against this kingdom, their army in England, and their commissioners there. The accusations are of so high a nature, and so sophistically insinuated, that the parliament (who during their sitting were, upon all occasions, endeavouring the best ways of the preserving the happy conjunction of the two kingdoms) were much affected therewith, as a matter wherein they were much concerned, both for their own vindication and the satisfaction of their brethren. If there shall be any matter or ground of such accusation found against any person of this kingdom, or our army, or any of our commissioners, we are no less willing that it be examined and punished to the full, than we desire and expect that the like be done against any in England that transgress in that kind; which is conform to our Covenant, wherein we all swear, 'With all 'faithfulness to endeavour the discovery of all 'such as have been, or shall be, incendiaries, 'malignants, or evil instruments, by hindering 'the reformation of religion, dividing the 'king from his people, or any of the kingdoms 'from the other, that they may be brought to 'public trial and receive condign punishment 'as the degree of their offences shall require or 'deserve.' But let us desire and expect, from our brethren, all charity, tenderness, and respect, to this kingdom, our army and commissioners; of whose faithfulness they have had so large and manifold experience, and in their several Letters to this kingdom did give them so ample testimonies, that no aspersion or suspicions lie upon them by concealing the names of any persons who can be discovered. And therefore, according to the trust committed unto us, we do desire, in the name of the parliament and kingdom of Scotland, (if that Robert Wright be not yet found out who he is, and that hidden knight, after so long a time, be not yet unsecreted, and made known by name,) all means may be used for discovering the one, whose letters have been so frequently produced before the committee of both kingdoms; and revealing the other to our commissioners, which is in the power of some of the members of the house of commons to do; that both kingdoms may be satisfied when the truth is brought to light, and all such jealousies and misunderstandings prevented for the future. We do also represent to the honourable houses of parliament, that this kirk and kingdom is more scandalized and grieved in the matter of religion, which immediately concerneth God and his honour, than in any thing on earth touching themselves and their own name. A Directory for the worship of God is agreed upon in the Assembly, and authorized by both kingdoms and practised carefully by this church; but the Service-Book still retained in

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some places of England under the parliament's power, and the Directory very much slighted, and by some avowedly written against. Instead of the intended unity in religion, blasphemous errors, heresies, sects and schisms are increased and multiplied through the want of church-government. The National Assembly of this Kirk, in their Answer to the Declaration of the parliament of England, of the date July, 1642, profess, 'That themselves, and all the 'well-affected within the kingdom, are exceedingly grieved and made heavy, because the 'Reformation of Religion had moved so slowly, 'and suffered so great interruption.' And the lords and commons in parliament assembled, in their Reply, did profess, That the miserable 'estate of the church and kingdom was not 'able to endure any longer delay.' Like as, in their Declaration sent to the General Assembly, they profess, 'That they do not doubt 'but to settle such a Reformation of the 'Church, as should be most agreeable to God's 'word.' And, in the aforesaid Reply, they declare, 'That their purpose is to consult with 'godly and learned Divines, that they may set-'tle such a government as may be most agreeable to God's most holy Word.' Some commissioners from this Kirk have attended the Assembly of Divines there, for the space of two years and a half; and, long ago, the Assembly have offered their advice to both houses, yet can we hear nothing of the settling of any government: but upon the contrary, of a real growth of all sects and errors, and of great endeavours for toleration thereof, which maketh us and this church and kingdom, who cannot understand where the difficulty and obstruction lieth, to wonder at so long a delay; wherein we are very much interested, not only in relation to the glory of God, our mutual League and Covenant, and the peace and happiness of that church and kingdom; but also in regard of the unity of religion amongst ourselves, and of the peace of this kingdom, which cannot be long preserved from so dangerous contagion; which would be more grievous and intolerable unto us, than all our troubles and sufferings have been: and therefore, from all these considerations, in the name of this kingdom and parliament, we do in all earnestness desire, That Church-Government may now at last without further delay, be settled according to the Covenant. We do in like manner press what hath been solicited by our commissioners for the space of 8 months past, That the Propositions for Peace, after so much debate and deliberation agreed upon unanimously by both kingdoms, the most material whereof have been fully treated upon at Uxbridge, may be forthwith sent to his majesty; wherein this kingdom is the more earnest, that they know not the cause why the sending of these Propositions is so long suspended: they long for the end of this unhappy war, by the happy settling of Religion and Peace; and so much the more, that they do perceive some would make use of the continuance of these wars, to raise and foment jealousies and differences betwixt these kingdoms, and to separate those whom God hath so strictly tied for so good ends, by so many bonds and relations; and we are confident will never suffer to be divided, but still continue them in a firm and blessed conjunction against all machinations of Satan and his instruments; which shall ever be the settled resolution and constant endeavour of Your lordships affectionate friend and humble servant, LOUDON, Cancellarius, J. P. D. Com."

As soon as the lords had heard this Letter read, they resolved to send it to the commons, with this sense upon it; that the lords thought fit, for the keeping a good correspondency and union between the two kingdoms, that all possible means may be used for the discovery of Robert Wright and the unknown Knight, mentioned in the Letter; the other particulars the house would consider of in due time.

Ordinance for settling of Church Government.] March 14. The lords having agreed to the Ordinance for settling of Presbyterial Church-Government, the same was ordered to be forthwith printed. It is thus entered in the Journals:

An ORDINANCE for keeping of scandalous Persons from the Sacrament of the Lord's Supper; the enabling of Congregations for the Choice of Elders; and supplying of Defects in former Ordinances and Directions of Parliament concerning Church-Government.

"The lords and commons, assembled in parliament, being very sensible of the great duty which lieth upon them to settle matters concerning Religion and the Worship of Almighty God; and having continually before their eyes the Covenant which they have so solemnly taken for the performance thereof, and the manifold motives and encouragements thereto which are given them from God himself, by a special hand of providence pouring forth daily mercies upon them; in discharge of their duty, and in pursuance of the said Covenant, and in thankfulness to God for all his mercies, having diligently applied themselves to that work of his house; by his grace and assistance they have made some progress therein, notwithstanding the exigency of other affairs, accompanied oftentimes with great and imminent dangers; and notwithstanding the great difficulty of the work itself, in divers respects, and particularly in the right jointing of what was to be settled with the laws and government of the kingdom; the want whereof hath caused much trouble in this and other states: yet, by the merciful assistance of God, having removed the Book of Common-Prayer, with all its unnecessary and burdensome ceremonies, and established the Directory in the room thereof; and having abolished the prelatical hierarchy by archbishops, bishops, and their dependants; and, instead thereof, laid the foundation of a presbyterial government in every congregation, with subordination to classical, provincial, and national assemblies,

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and of them all to the parliament; although it cannot be expected, that a present rule, in every particular, should be settled all at once; but that there will be need of supplements and additions, and haply also of alterations in some things, as experience shall bring to light the necessity thereof; yet were the fundamentals, and substantial parts of that government long since settled in persons by and over whom it was to be exercised; and the nature, extent, and respective subordination of their power was limited and defined: only, concerning the Administration of the Sacrament of the Lord's Supper, how all such persons as were guilty of notorious and scandalous offences might be suspended from it, some difficulty arising, not so much in the matter itself, as in the manner, how it should be done, and who should be the judges of the offence; the lords and commons having it always in their purpose and intention, and it being accordingly declared and resolved by them, That all sorts of notorious scandalous offenders should be suspended from the Sacrament; for the preventing of an indefinite and unlimited power in the elderships, they held it fit, for the present, that the particular cases of such scandalous offences should be specified and enumerated; with express declaration, That further provision should be made, by authority of parliament, for such cases as were left out of the said enumeration: which accordingly having since taken into their serious consideration, and having had several debates thereupon, as the difficulty of the matter required, which hath taken up much time; for the avoiding, as far as possible may be, all arbitrary power; and that all such cases wherein persons should be suspended from the Sacrament of the Lord's Supper might be brought to the cognizance, and pass the judgment of the parliament, who were bound in justice, as well to take care that none be injuriously detained from that Ordinance, as to give power, whereby such may be kept away who are unfit to partake therein; and to the intent also that a full and speedy course may be settled to enable the several elderships to suspend all such offenders from the Lord's Supper, without having recourse to the parliament itself from all parts of the kingdom upon every such emergent case, which might prove troublesome and tedious, and give liberty to such notorious and scandalous offenders to communicate a long space in the said ordinance; and to the intent likewise, that all such cases coming first from the particular elderships may, after they have passed the judgment of parliament, return again to all the several elderships within the kingdom, to proceed upon them, from time to time, in like manner as in the cases enumerated: for the ends and purposes aforesaid, and also for supply of some defects in the former Ordinance and Directions of parliament, concerning the Choice of Elders and some other matters: I. Be it ordained, That there be forthwith a choice made of Elders throughout the kingdom of England, and dominion of Wales, in the respective parish-churches and chapels, according to such directions as have already passed both houses, bearing date Aug. 19th 1645, and since that time: and all classes, and parochial congregations, are respectively hereby authorized and required, forthwith effectually to proceed therein accordingly. II. That notice of the election of parochial and Congregational Elders, and of the time when it shall be, be given by the minister, in the public assembly, the next Lord's day but one before: and that, on that said Lord's day, a sermon be preached, preparatory to that weighty business. III. That such elections shall be made by the congregation, or the major part of them, then assembled, being such as have taken the National Covenant, and are not persons under age, nor servants that have no families. IV. That the tryers of Elections of Elders shall have power to receive, hear, and determine all exceptions brought in to them concerning undue elections; and, to that end, to call before them all such persons so elected, and accepting such election; and to send for such witnesses as shall be nominated unto them, by such persons as shall bring in such exceptions: and shall have power to examine, upon oath, both the persons bringing in such exceptions, and the said witnesses, concerning any undue proceedings in the manner of the said election, and concerning all matters of ignorance or scandal objected against the party elected, and expressed in any Ordinance of parliament to be a sufficient cause of suspension from the Sacrament of the Lord's Supper, and of which any eldership, by any Ordinance of parliament, hath cognizance and jurisdiction, and that shall be proved to have been committed within one whole year before the exceptions exhibited: and that the persons, against whom the exceptions are taken, shall have like liberty to produce witnesses, to be examined in like manner on their behalf. V. That the treasurers shall have power to examine, Whether the Elders that are to be chosen, be so qualified, as is expressed in the Ordinance, or directions, which hath passed both houses. VI. That in case the election of any Elder of a congregation, upon just proof and examination, be found by the tryers appointed for that purpose to be unduly made; the said tryers may order such elder to be removed, and another to be chosen in his place. VII. That the chapels or places in the houses of the king, and his children, shall continue free for the exercise of divine duties, to be performed according to the Directory, and not otherwise. VIII. That the chapels or places in the house of peers of this realm shall have the like freedom. IX. That the Savoy parish shall be reckoned within the 11th classis of London. X. That the Chapel of the Rolls, the two Serjeants-Inns, and the four Inns of Court, shall be a province of themselves. That the Presbytery of the Chapel of the Rolls, the two

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Serjeants-Inns, and the four Inns of Court, shall be divided into two classes. That Lincoln's-Inn, Grey's-Inn, Serjeants-Inn in Chancery-Lane, and the Rolls, shall be one classis: that the two Temples, and Serjeants-Inn in Fleet-Street, shall be the other classis. XI. That the Classical Assemblies in each province shall assemble themselves within one month after they shall be constituted, and this Ordinance published; and shall thenceforth hold their meetings monthly by adjournment, or oftener, if need be, in such a certain place, as shall be most convenient for the ease of the people. XII. That, out of every Congregational Eldership, there shall be two elders, or more, not exceeding the number of four, and one minister, sent to every Classis. XIII. That all persons, guilty of notorious and scandalous offences, and more particularly all renouncers of the true Protestant Religion, professed in the church of England; and all persons that shall, by preaching or writing, maintain any such errors as do subvert any of those articles, the ignorance whereof do render any person excluded from the Sacrament of the Lord's Supper; and all persons that shall make any images or pictures of the Trinity, or of any person thereof; and all persons in whom malice appears, and they refuse to be reconciled; and the same appearing upon just proof; all such persons may be suspended from the Sacrament of the Lord's Supper. XIV. That, in every province, persons shall be chosen by the houses of parliament, that shall be commissioners to judge of scandalous offences (not enumerated in any Ordinance of parliament) to them presented: and that the Eldership of that Congregation, where the said offence was committed, shall, upon examination and proof of such scandalous offence (in like manner as is to be done in the offences enumerated) certify the same to the commissioners, together with the proof taken before them: and, before the said certificate, the party accused shall have liberty to make such defence as he shall think fit before the said Eldership, and also before the commissioners, before any certificate shall be made to the parliament; and if the said commissioners, after examination of all parties, shall determine the offence, so presented and proved, to be scandalous, and the same shall certify to the congregation; the eldership thereof may suspend such person from the Sacrament of the Lord's Supper, in like manner as in cases enumerated in any Ordinance of parliament. XV. That such persons as shall be chosen for commissioners to judge of notorious and scandalous offences as aforesaid, shall be men of good understanding in matters of religion, sound in the faith, prudent, discreet, grave, and of unblameable conversation, and such as do usually receive the Sacrament of the Lord's Supper, as members of a Presbyterial congregation. XVI. That if any person shall commit any scandalous offence (not enumerated in any Ordinance of parliament) upon the day of the administration of the Sacrament of the Lord's Supper, in the face of the congregation, after it is assembled, the minister of that congregation may forbear to administer the sacrament to such a person for that time, and he shall, within 8 days after, certify the said offence and forbearance unto the commissioners aforesaid: and, upon certificate so made, the said commissioners shall proceed thereupon, as in other cases not enumerated; and shall make certificate of the case or cases, with their opinions, to both houses of parliament, with all speed: and, thereupon, the parliament shall proceed to a final determination of the case; and send the same determination thereof to the parish where such offence shall have been committed: and, as often as the like case shall fall out in any congregation, the eldership thereof, having notice of such determination, shall proceed thereupon, as in case of offences enumerated in any Ordinance of parliament. XVII. That the said commissioners (upon notice given to them, or any two of them, of any case of scandal befallen, whereof they ought to have cognizance by virtue of any Ordinance of parliament) shall assemble themselves in such certain place, within that province, as may be most convenient for the ease of the people; and thereof shall give timely notice to the ministers of that province, whereof they are commissioners; and, being met, shall adjourn their meeting, from time to time, for such time as the case shall require. XVIII. That the Eldership of each congregation, or the major part of them, as also the classis of each province, or major part of them, and also the provincial commissioners, or major part of them, after they shall be assembled, shall have power, by warrant under their hands, in all cases whereof they have cognizance, by any Ordinance of parliament, to convent before them all persons, against whom any complaint shall be brought by virtue of any such Ordinance; and all such witnesses as shall be named, according to any such Ordinance, for the discovery of the truth of any such complaint: and, in case any such person shall refuse to appear, not being a peer of this realm, member of the house of commons, or assistant of the house of peers, or officer of the house of parliament, then, upon complaint made to the next justice of the peace, the party refusing shall be brought before him; and, in case of obstinate persisting, shall be committed by the said justice of peace, till he submit to order. XIX. That if any member of a congregation shall, by virtue of any Ordinance of parliament, for any Offence of Scandal, be suspended from the Sacrament of the Lord's Supper; and, being so suspended, shall offer himself to any other congregation to receive the Sacrament of the Lord's Supper together with them; such congregation, having notice of such suspension, shall not, without certificate from the Congregation whereof he is a member, admit him unto the Sacrament. XX. That any mi-

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nister of a congregation may be suspended from giving or receiving, and any Elder from receiving the Sacrament of the Lord's Supper, for the same causes, and in the same manner, and have like benefits of appeal, as any other person may by any Ordinance of parliament: and, after such suspension of the Elder from the sacrament, the Elder, so suspended, shall not execute that office during his suspension, until the appeal be determined: and if, upon the appeal, the suspension appear to have been just, then another to be chosen in his place. XXI. That, in all cases of appeal to the Classical, Provincial, or National Assembly, they shall have power respectively to proceed thereupon by examination of witnesses, and otherwise, in such manner as the Congregational Eldership, from which the appeal ariseth, are enabled to do by any Ordinance of parliament; and shall certify such their proceedings unto the said eldership. XXII. That, in case of such suspension of any minister, the classis whereunto the said congregation doth belong, shall appoint some fit person or persons for the supply of that place during such suspension; and shall have power to allow convenient Maintenance for that end, out of the Profits belonging to the Minister so suspended: and have hereby power to sequester and employ the same for that purpose. XXIII. That in all cases of suspension of any person from the Sacrament, the party suspended (upon manifestation of his or her repentance, before the Eldership by whom the party was suspended) shall be admitted again unto the Sacrament of the Lord's Supper; and the suspension thenceforth shall be void. Provided, That if the said commissioners, or any two of them, shall not determine the case so certified, as aforesaid, to them from the Eldership, within six weeks after the certificate to them made; the party is hereby injoined to forbear coming to the sacrament, until the cause shall be determined, or until he give satisfaction to the eldership."

The Parliament resolve to invite the Prince of Wales into their Quarters.] About this time it was that the commons came to a resolution to invite the prince of Wales into the parliament's Quarters, and to reside in such place, with such council and attendance as both houses should think fit to appoint. The lords having agreed to this, a committee of both houses was appointed to prepare a Letter, to be sent to the general, and in it another of invitation to the Prince. It seems the commons had been informed, That his highness was got into the Isle of Scilly, and were in great pain lest he should transport himself from thence into foreign parts. This committee having presented a draught of a Letter to be sent to the Prince, the lords agreed to it, and ordered it to the commons for their concurrence. There is not a copy of this Letter entered in either of the Journals; but it seems it did not please the lower house; for, on the reading of it, the question was put, Whether to agree with the lords in the Letter to be sent to the Prince? the house divided, Yeas 52, Noes 84; The question thus passing in the negative, another committee of their own house alone was then appointed to meet that afternoon, and prepare a Letter to be sent to the Prince, according the Vote of both houses, to invite him into the parliament's quarters: but though the lords sent down a message to urge them to send this Letter away, because they said it might prevent great inconveniences, yet we hear no more of it for some days.

Defeat of the King's Army at Stow, in Gloucestershire.] March 23. A Letter was read in the house of lords, giving an account of the parliament's successes in different parts of the kingdom; particularly, from the West of England, where sir T. Fairfax had reduced the lord Hopton, and the forces under his command, to so low a state, that they were obliged to surrender themselves on the best terms they could get.—This day came Letters from others of the parliament's commanders, with an account of a signal Victory gained over the king's forces, near Stow on the Wold, in Gloucestershire, wherein sir Jacob Astley, the king's general, was taken prisoner. This last Victory produced the following Order; "Ordered by the lords and commons in parliament assembled, That on Thursday se'nnight and Thursday 3 weeks, being the days appointed to be set apart for days of publick Thanksgivings in the cities of London and Westminster, and in the other parts of the kingdom, for the success of the army in the West under the command of sir T. Fairfax, general, That the several ministers do, on the said days, take particular notice of the blessing of God upon the forces of the parliament in taking sir Jacob Astley prisoner, and totally routing and defeating the forces under his command, near Stow in the county of Gloucester."

Letter of Congratulation sent to sir T. Fairfax on his late Successes.] For the last mentioned defeat of the lord Hopton in the West, and all the other great services general Fairfax had done the parliament, the houses joined in the following Letter of Thanks to him; which was ordered to be entered in their Journals, in perpetuam rei memoriam:

To the Rt. Hon. Sir T. FAIRFAX, General of the Forces under the Command of the Parliament.

"Sir; We are commanded, by both houses of parliament, to express the great sense they have of your active, vigorous, and faithful discharge of that trust which they have reposed in you. They do observe how happily you have timed, and how prudently you have carried on, all your designs and actions; and do very much approve your judgment in the way of gaining the enemies army and the county of Cornwall under your power in so short a space, and with so little loss of English blood; which, added to your former endeavours and successes, hath put the affairs of the parliament, in this beginning of the year, into such a condition as

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was beyond their hopes and expectations, for which we are commanded to return you their hearty thanks: and as they are resolved to give ample testimony to the world of the high esteem they have of your person and merit, so they desire you to let all the officers and soldiers under your command to know they shall not forget their unwearied labours and sufferances in this great and glorious cause. We rest, &c. Your very loving friends, MANCHESTER, Speaker of the House of Peers pro tempore. W. LENTHALL, Speaker of the Commons House in Parliament."

Message from the King, March 23, offering to disband his Forces, and return to the Parliament.] March 24. Another Message from the King was presented this day to the lords, by their Speaker, and read, as follows:

For the SPEAKER of the House of PEERS pro tempore. To be communicated to the two Houses of Parliament at Westminster.

"*C. R.* Notwithstanding the unexpected silence instead of Answer to his majesty's many and gracious Messages to both houses, whereby it may appear that they desire to obtain their ends by force rather than treaty, which may justly discourage his majesty from any more overtures of that kind; yet his majesty conceives he shall be much wanting to his duty to God, and in what he oweth to the safety of his people, if he should not intend to prevent the great inconveniences that may otherwise hinder a safe and well-grounded Peace. His majesty therefore now proposeth that (so he may have the faith of both houses of parliament for the preservation of his honour, person, and estate, and that liberty be given to all those who do and have adhered to his majesty, to go to their own houses, and there to live peaceably, enjoying their estates, all sequestrations being taken off, without being compelled to take any oath not injoined by the undoubted laws of the kingdom, or being put to any other molestation whatsoever) he will immediately disband all his forces and dismantle all his garrisons; and being accompanied with his royal, not his martial, attendance, return to his two houses of parliament, and there reside with them. And, for the better security of all his majesty's subjects, he proposeth that he, with his said two houses immediately upon his coming to Westminster, will pass an act of oblivion and free pardon; and where his majesty will further do whatsoever they will advise him for the good and peace of this kingdom. And as for the kingdom of Scotland, his majesty hath made no mention of it here, in regard of the great loss of time which must now be spent in expecting an Answer from thence; but declares that, immediately upon his coming to Westminster, he will apply himself to give them all satisfaction touching that kingdom. If his majesty could possibly doubt the success of this offer, he could use many arguments to persuade them to it; but shall only insist on that great one of giving an instant Peace to these afflicted kingdoms. Given at our court at Oxford, the 23d of March, 1645."

The lords sent this Letter down to the commons, with a desire that it might be communicated to the Scots commissioners; and, as there were divers particulars in it, whereof, they said, an happy use might be made, conducing to the peace of the three kingdoms, they desired that a committee of both houses might be appointed to consider of the Letter, to frame an Answer, and to send it, by the joint consent of all, both English and Scots, to his majesty.

Letter from both Houses to the Prince of Wales.] March 30. Both houses agreed on the form of a Letter to be sent to the Prince of Wales; which was in hæc verba:

"Sir, The lords and commons assembled in the parliament of England, being informed that your highness is lately removed into the Isle of Scilly, have commanded us in their names, to invite you to come forthwith into their quarters; and to reside in such place, and with such council and attendants about you, as the two houses shall think fit to appoint. This being all we have in charge, we take leave to rest Your highness's humble servants, MANCHESTER, Speaker of the House of Peers pro tempore. Wm. LENTHALL, Speaker of the Commons House in Parliament."

Orders, in case of the King's coming to London.] March 31. The following Vote of the house of commons was sent up to the lords for their concurrence, "That in case the king, contrary to the advice of the houses of parliament already given him, should come, or attempt to come, within the lines of communication; that then the committee of the Militia of London shall have power, and are hereby enjoined, upon advice had with the committee of the lords and commons for the army, to raise such forces as they shall think necessary to prevent any tumult that may arise by his coming; to suppress any that shall happen; to apprehend and secure such as shall come with him; to prevent resort to him, and to secure his person." This the lords agreed to with the addition of the words 'from danger.'

The Parliament's Answer to the King's last Message.] April 1. The Answer to the King's last Message being at length agreed to by both houses and the Scots commissioners, it was ordered to be sent, under cover, to sir Thomas Glenham, governor of Oxford, where the king yet was, by a trumpeter. This Answer ran in these words:

"May it please your majesty; We your humble and loyal subjects of both kingdoms, having received your Letter of the 23d inst. do humbly return this Answer, That until satifaction and security be given to both your kingdoms, and for the reasons mentioned in our Answer to your former Letters, your majesty's coming here cannot be for your own good nor your kingdoms, nor by us admitted: but your majesty's assent unto the Propositions, which we intend speedily to present, will be the

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effectual means to give the satisfaction and security we desire."

Ordinance for banishing all Papists, &c. from London.] April 3. An Ordinance was agreed to, by both houses, for banishing all Papists from the cities of London and Westminster, and all other places within the lines of communication; together with all officers, soldiers of fortune, and other persons, who have borne arms against the parliament, in 3 days time. If, after that, they were seen within the said limits, they were to be declared spies, and to suffer, by martial-law, accordingly. This precaution was taken to prevent any tumults which might happen, if the king came to London; for notwithstanding the parliament's positive refusal, in their last Letter to him, they were in great apprehensions of a visit from his majesty.

Further Orders, in expectation of the King's coming to London.] April 6. As a farther proof that the parliament expected a sudden visit from the king, the earl of Northumberland, this day, presented to the lords a copy of some Orders made by the Committee of the army, for the City Militia to act by, in case such an accident should happen. The principal of which were these, viz. "That if the king should come up to any of the guards, the commanding officer there should, with such force as might be procured, conduct his majesty to St. James's House; and place a guard there to secure his person from danger, and prevent any resort unto him, until both houses were made acquainted therewith. That the said officer on guard should apprehend and secure such persons as come along with the king, and put them into such prisons and places as the committee for the Militia should think fit, till the houses give further orders. That the said officer should take care to prevent any persons from resorting to the king; and in case any should endeavour, in a forcible manner, to have access to him, that then he shall apprehend and secure them till further orders. And, in case of resistance in any of the cases aforesaid, that the officers and soldiers should, by force of arms, according to the course of war, observe these directions, in pursuance of the Ordinance of parliament." Upon this occasion the Committee for the Militia were ordered to strengthen their guards both within and without the lines, and employ only such men as, for their fidelity and abilities, they could confide in.

A Conference on occasion of some Papers of the Scot's Commissioners being printed.] April 15. The Report of a Conference between the two houses was made to the lords, by their Speaker, to this purpose: "That the occasion of the Conference was concerning a printed Book, intitled, 'Some Papers of the Commissioners of Scotland, &c.' wherein were found some things both scandalous and false; and that the commons had made the following Vote upon it, in which they desired their lordships concurrence: Resolved, by the and commons assembled in parliament, That the Book intitled, 'Some Papers of the Commissioners of Scotland, given in lately to the 'Houses of Parliament, concerning the Propo-'sitions of Peace, printed for Robert Bostock, 'dwelling at the Sign of the King's Head, in 'Paul's Church-Yard, April 11, 1646,' doth contain in it matters scandalous and false; and they do thereupon order that it be forthwith burnt by the hands of the common hangman; and do declare, that the author and publisher thereof is an incendiary between the two kingdoms of England and Scotland.' This Vote being read, the Speaker said, "That the commons had already made some inquiry into the business, and had examined Bostock, the printer, who he had the copy of the Book from; who at first denied, but afterwards confessed that he had it from the clerk to the Scots Commissioners. The commons said he was not asked any thing concerning the Scots Commissioners, nor did they intend it; but that it was a free and voluntary confession of Bostock. That the commons said further at this conference, That there was, in the Preface to this Book, an endeavour, by intimation, to draw the people from the parliament. And because they would not settle the government of the Church in the way some desire, therefore they would settle none. And because the parliament would not settle the Militia of this kingdom also, as some desired, it therefore appeared that the houses of parliament would have no Peace, and did intend to alter the government of the kingdom. Lastly, the commons were of opinion, That unless some Declaration be speedily published to vindicate the parliament from these scandals, there may be much prejudice come to their proceedings: therefore the commons intended speedily to publish a Declaration, That it is the intent of parliament to settle Church-Government as near as they can to the Word of God; and that they do not intend to alter the government of the kingdom; but because this would require some time, they thought fit, for the present, to make this Vote, wherein they desired their lordships concurrence."

Then the Book was read to the lords, and it was ordered that this business should be taken into consideration the next morning. But, notwithstanding this Order, the affair was not entered into that day by the lords, though a message came up to them, from the commons, to desire their lordships to expedite their concurrence to the Vote about the Book; because nothing being yet done in it, the contriver and framer was run away, and they knew not how to proceed against him.

April 17. The lords resumed the affair, and, a long debate arising, several divisions, on questions, were made; as, Whether the Vote of the commons, on the book, should be put as it was brought up from them, or divided into parts? And it was carried for the former. Then the whole Vote of the Commons being read, another question was put, Whether to

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agree with the commons in this Vote? The numbers being equal, nothing was concluded on this day. But on the next day, some alterations and amendments were proposed to be made in the Vote; and they being read, the question was put, Whether to pass the Vote which came from the commons with these alterations, &c. it was carried in the affirmative, and this Resolution was ordered to be sent down to them.

The commons afterwards agreed to these Alterations of the lords; and then the substance of the Vote ran thus: "Be it ordained, &c. That the Epistles and the Tract intitled 'The State of the Question, &c.' in the Book intitled, 'Some Papers, &c.' do contain in them matters scandalous and false; and they do thereupon ordain, That only the said Epistle and Tract, being the Preface to the said Book, be forthwith burnt by the hands of the common hangman. And do further declare and ordain, That the author is a person highly disaffected to the parliament of England, and hath endeavoured to raise sedition against it and the kingdom; and that the matter be put into a way of examination to find out the author, and to enjoin all persons whatsoever to discover him."

Mr. Whitlocke writes, 'That it was not without some ground of suspicion that some of the Scots commissioners themselves encouraged, if not appointed, the printing of this book, which made others more sharp against it.'

Declaration of the Commons upon that Occasion.] This day the Commons agreed to the following Declaration in Answer to the said Papers: 4000 copies were ordered to be printed for the use of the parliament, and that the knights and burgesses of the several counties do take care they be forthwith sent down and published in the respective counties and places for which they serve; that fewer than 100 be not sent to one county, and as many more as shall be necessary; and that they be set up and fixed in every parish-church by the church-wardens.

A DECLARATION of the Commons of England, assembled in Parliament, of their true Intentions concerning the antient and Fundamental Government of the Kingdom; the Government of the Church; the present Peace; securing the People against all arbitrary Government; and maintaining a right Understanding between the two Kingdoms of England and Scotland, according to the Covenant and Treaties.

"We the commons, in parliament assembled, well remembering that, in the beginning of this war, divers Protestations, Declarations, and Suggestions were spread abroad by the king, and those that did adhere unto him; whereby our sincere intentions for the public good were misrepresented, and the minds of many possessed with a belief that our resolutions and proceedings were grounded upon needless fears and jealousies; and that there was no necessary and just cause of the present war; the untruth and deceitfulness whereof, by the good hand of God, miraculously discovering the secrets of our enemies, disposing and blessing our affairs, time and experience have since fully manifested, to the undeceiving of those that were seduced thereby; which mistakes of the people, by this artifice and cunning of the enemy, for some time much blemished the justice of this cause, and not only prolonged the war, but hazarded the success thereof; and if the enemy, by these means, had prevailed, how dangerous the consequences would have been is most apparent: And now observing, that (when it hath pleased God so to bless our endeavours and the actions of our forces and armies, as that the enemy is in despair to accomplish his designs by war, and we are brought into good hopes of attaining and enjoying that which, with so much expence of blood and treasure, we have contended for) there are still the same spirits stirring, and humours working, as in the beginning, though under other disguises, and upon other grounds; putting false constructions as well upon what hath already passed the houses, as upon the things under present debate; and misrepresenting our intentions in the use we desire to make of this great success which God hath given us, and the happy opportunity to settle truth and peace in the three kingdoms; not ceasing, as well in print as otherwise, to beget a belief that we now desire to exceed or swerve from our first aims and principles in the undertaking this war, and to recede from the Solemn League and Covenant, and Treaties between the two kingdoms; and that we would prolong the uncomfortable troubles and bleeding distractions, in order to alter the fundamental constitution and frame of this kingdom; to leave all government in the church loose and unsettled, and ourselves to exercise the same arbitrary power over the persons and estates of the subjects, which this present parliament hath thought fit to abolish, by taking away the Star-Chamber, High Commission, and other arbitrary courts, and the exorbitant power of the Council-Table:—All which being seriously considered by us, although our actions and proceedings from time to time, since the beginning of this parliament, and particularly in the managing this great cause, are the best demonstrations of our sincerity and faithfulness to the public; yet foreseeing that, if credit be given to such dangerous insinuations and false surmises, the same will not only continue the present calamities, and involve us into new and unexpected imbroilments, but likewise inevitably endanger the happy issue and success of our endeavours, which, by God's blessing, we may otherwise hope for:—We do declare, That our true and real intentions are, and our endeavours shall be, to settle Religion in the purity thereof, according to the Covenant; to maintain the antient and fundamental government of this kingdom; to preserve the rights and liberties

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of the subject; to lay hold on the first opportunity of procuring a safe and well-grounded Peace in the three kingdoms, and to keep a good understanding between the two kingdoms of England and Scotland, according to the grounds expressed in the Solemn League and Covenant, and Treaties; which we desire may be inviolably observed on both parts.—And, lest these generals should not give a sufficient satisfaction, we have thought fit, to the end men may be no longer abused into a misbelief of our intentions, or a misunderstanding of our actions, to make this further enlargement upon the particulars:—And, first, concerning Church-Government: We having so fully declared for a Presbyterial Government, having spent so much time, taken so much pains for the settlement of it, passed most of the particulars brought to us from the Assembly of Divines, (called only to advise of such things as shall be required of them by both or either of the houses of parliament) without any material alteration, saving in the point of commissioners; and having published several Ordinances for putting the same in execution, because we cannot consent to the granting of an arbitrary and unlimited power and jurisdiction to near ten thousand judicatories to be erected within this kingdom; and this demanded in such a way as is not consistent with the fundamental laws and government of the same; and, by necessary consequence, excluding the power of the parliament of England in the exercise of that jurisdiction, and whereof we have received no satisfaction in point of conscience or prudence; nor have we yet resolved how a due regard may be had, that tender consciences, which differ not in fundamentals of religion, may be so provided for, as may stand with the Word of God, and the Peace of the kingdom.—It must therefore seem very strange to us, if any sober and modest man should entertain a thought that we should settle no government in the church, when our unwillingness to subject ourselves and the people of this land to this vast power, hath been a great cause that the government hath not been so long since established: and we desire it may be observed, That we have had the more reason, by no means to part with this power out of the hands of the civil magistrate, since the experience of all ages will manifest, That the reformation and purity of religion, and the preservation and protection of the people of God in this kingdom, hath, under God, been by the parliament, and their exercise of this power: and our full resolutions still are, sincerely, really, and constantly, through the grace of God, to endeavour the reformation of Religion in the kingdoms of England and Ireland, in doctrine, worship, discipline, and government according to the Word of God, and the example of the best Reformed Churches, and according to our Covenant. Whence it may appear to all men, what those rumours and aspersions, whereby the minds of men are so disturbed for want of the present settling of Church-Government, are to be applied to those who (having a sufficient power and direction from the houses on that behalf) have not as yet put the same in execution. And whereas a safe and good Peace is the right end of a just War; there is nothing we have more earnestly desired, nor more constantly laboured after; and to that purpose, both houses have framed several Propositions to be sent to the king, such as they hold necessary for the present and future safety and good of this kingdom; some of which are transmitted from both houses to our brethren of Scotland, where they now remain; whose consent, that they may speedily be sent to the king, we shall not doubt to obtain, since the parliament of England is and ought to be sole and proper judge of what may be for the good of this kingdom; the same liberty having been always by us admitted to the kingdom of Scotland in all things that concern that kingdom; wherein we are so far from altering the fundamental constitution and government of this kingdom, by king, lords, and commons, that we have only desired That with the consent of the king, such powers may be settled in the two houses, without which we can have no assurance but that the like, or greater, mischiefs than these which God hath hitherto delivered us from, may break out again, and engage us in a second and more destructive war. Whereby it plainly appears our intentions are not to change the antient frame of government within this kingdom, but to obtain the end of the primitive institution of all government, the safety and weal of the people; not judging it wise or safe, after so bitter experience of the bloody consequences of a pretended power of the Militia in the king, to leave any colourable authority in the same for the future attempts of introducing an arbitrary government over this nation, and protecting delinquents, enemies of our religion and liberties, by force, from the justice of the parliament; the first and chiefest grounds of the parliament's taking up arms in this cause. And although the necessity of war hath given some disturbance to legal proceedings; stopped the usual course of justice; enforced the parliament, for the preservation of this state, to impose and require many great and unusual payments from the good subjects of this kingdom; and to take extraordinary ways for procuring of monies for their many pressing occasions: it having pleased God to reduce our affairs into a more hopeful condition than heretofore, we do declare, That we will not, nor any one, by colour of authority derived from us, shall interrupt the ordinary course of justice in the several courts and judicatories of this kingdom, nor intermeddle in cases of private interest otherwhere determinable; unless it be of male-administration of justice, wherein we shall see and provide, that right be done, and punishment inflicted as there shall be occasion, according to the laws of the kingdom, and the trust reposed in us. And as both houses have

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already, for the ease and benefit of the people, taken away the Court of Wards and Liveries, with all Tenures in Capite, and by Knight's Service, so we will take especial care, that as speedy and as great ease may be had in future levies of money, by reducing of garrisons, and otherwise, as the pressing occasions of the kingdom can possibly admit; and will provide, by bringing delinquents to due punishment, who have unnaturally fomented and maintained this present war against the parliament and kingdom; that there may be a fair possibility of satisfying the disbursements, clearing the engagements, and repairing the losses of those who have faithfully and chearfully laid out themselves, and suffered for the public service; unless, by too great credulity given to false suggestions, we be disabled from effecting what we desire. Lastly, Whereas both nations have entered into a Solemn League and Covenant, and Treaties have been made and concluded between the two kingdoms of England and Scotland, we have had an especial regard of the Treaties; and have not, to our best judgments, failed of the performance of any thing which was on our part to be performed. And for the Covenant, we have been, and ever shall be, very careful duly to observe the same; that as nothing hath been done, so nothing shall be done, by us, repugnant to the true meaning and intention thereof; and do presume that no interpretation of it (so far as it concerns the kingdom of England) shall, by any, be endeavoured to be imposed on us than we ourselves do know to be suitable to the first just ends for which it was agreed; and we do expect, That the people of England should not receive impressions of any forced constructions of that Covenant: which, in case of any doubt arising, is only to be expounded by them by whose authority it was established in this kingdom, who will not depart from those grounds and principles upon which it was framed and founded."

The foregoing Declaration was not passed without great opposition, every clause being resolved by question. On one division the numbers for it were 67 against 41; on another, 71 against 43. And the commons were in so great haste to communicate it to the nation, that it was printed and published the very next day after it had passed their house, without so much as asking the concurrence of the lords.

A Petition to the Commons from the Assembly of Divines, declared a Breach of Privilege.] April 21. In the commons Journals of this day we meet with an affair, which must have given great disgust to the Presbyterian party. But before we enter into farther particulars, it is necessary to observe, That, on 23d of March last, the Assembly of Divines, then sitting at Westminster, had presented a Petition to the Commons, in relation to some clauses of an Ordinance lately passed, which they apprehended to be an encroachment of the laity upon their spiritual jurisdiction. But general Ludlow* speaking of this kind of Petitions, calls it 'An attempt to sacrifice all our civil liberties to the ambition of the Presbyterian clergy; and to vest them with a power as great or greater than that which had been declared intolerable in the bishops before.' However, on the 11th of April, this affair was taken into farther consideration by the commons; when the majority were so far from being of the same opinion with the petitioners, that they voted the Petition to be a Breach of the Privilege of Parliament: but upon this there were two divisions. On the previous question, 106 against 85; and, on the main question, 88 against 76. The tellers for the majority, sir John Evelyn of Wilts, and sir Arthur Haslerig; for the minority, Mr. Hollis and sir Philip Stapylton. The Petition is not entered in the Journals; but, this day, the business was resumed and the following Paper was voted, clause by clause;

A NARRATIVE of the Matter of Fact concerning the Breach of the Privilege of Parliament by the PETITION of the Assembly of Divines.

"The parliament, by the fundamental laws and constitutions of this kingdom, hath this great privilege, to be the supreme judicatory; and hath jurisdiction in all causes, spiritual and temporal, and to delegate so much of this power as they think fit: and, when they have declared their judgments, and given their directions in a law, the same is binding to all persons of this kingdom, of what quality soever. The Assembly of Divines, called by Ordinance of parliament, are authorized and injoined by the said Ordinance, from time to time, during this present parliament, or until further order be taken by both the said houses, to treat of such matters therein mentioned, as shall be proposed unto them, from time to time, by both or either of the houses of parliament, and no other; and to deliver their opinions and advices, of or touching the matters aforesaid, as shall be most agreeable to the Word of God, to both or either of the said houses of parliament, from time to time, in such manner and sort as by both or either of the said houses shall be required; with a prohibition, that they do not assume to exercise any jurisdiction, power, or authority, ecclesiastical whatsoever, or any other power, than what in the said Ordinance is particularly expressed.—The Assembly are further authorized, by Ordinance of parliament, 12th Oct. 1643, to treat among themselves of such a Discipline and Government as may be most agreeable to God's holy Word, and most apt to procure and preserve the peace of the church at home, and nearer agreement with the church of Scotland, and other Reformed churches abroad: and to deliver their opinions and advice therein, with all convenient speed, to the houses: whereupon they gave their advice before the houses declared their judgment, in the Ordinance for Commissioners.—The parliament having received the advice of the As-

* Memoirs, vol. I. p. 188.

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sembly concerning Presbyterial Government; and particularly, That Jesus Christ hath placed in the ministers, and elders of his churches, the power of keeping away scandalous and unworthy persons from the Lord's Table; Both houses, after mature deliberation had thereupon, did, notwithstanding, ordain, by a law, That, in cases not enumerated, the commissioners, by them to be appointed according to the said law, should exercise so much of the said power as in that law is provided.—The Assembly are not authorized, as an assembly, by any Ordinance or Order of parliament, to interpret the Covenant, especially in relation to any law made or to be made; nor, since the law passed both houses concerning the commissioners, have been required by both or either of the houses of parliament, or had any authority before by parliament, to deliver their opinions to the houses, in matters already judged and determined by them: neither have they power, either to debate or vote, whether what is passed as a law by both houses, be agreeing or disagreeing to the Word of God, until they be thereunto required."

Matter of Fact arising from the Petition itself.

"The Assembly of Divines, under the name of a Petition, dated March 23, 1645, attested by the prolocutor and the two scribes; 1. Do oppose their judgment, as an assembly, in relation to a law passed both houses, unto the judgment of parliament, being not thereunto authorized nor required; affirming, That the provision of commissioners to judge of Scandals, not enumerated, appears to their consciences to be so contrary to that way of government which Christ hath appointed in his church, (in that it giveth a power to judge of Persons to come to the Sacrament, unto such as Christ hath not given that power,) and to be, in many respects in the said Petition mentioned, so disagreeable to the Covenant, that they dare not practise according to that provision: 2. The Assembly, in their Petition, do declare, That the power of judging in cases not enumerated, (placed, in part by the said laws in commissioners) and to keep back from the Sacrament all such as are notoriously scandalous, doth belong to the several elderships by divine right, and by the will and appointment of Christ; excluding thereby the said commissioners, and in them the parliament, from the power and right to judge in cases of scandal not enumerated."

A committee was appointed to communicate, in a fair manner, unto the Assembly of Divines, the Vote of the house upon this Breach of Privilege in their Petition; and to enlarge themselves upon the several heads of the foregoing Narrative.

Questions ordered to be proposed to the Assembly of Divines.] April 22. The commons took into consideration divers Questions to be propounded to the Assembly of Divines, concerning the Jus Divinum of Church-Government; which were read one by one, and, upon the question, severally resolved; and were in hæc verba:

"Whereas it is resolved by the house of commons, that all persons guilty of notorious and scandalous offences, shall be suspended from the Sacrament of the Lord's Supper: the commons desire to be satisfied, by the Assembly of Divines, in these Questions following: 1. Whether the parochial and congregational or presbyterial elderships, are *Jure divino*, and by the will and appointment of Jesus Christ; and whether any particular Church-Government be *Jure divino*; and what that government is? 2. Whether all the members of the said elderships, as members thereof, or which of them, are *Jure divino*, and by the will and appointment of Jesus Christ? 3. Whether the superior Assemblies or Elderships, viz. the Classical, Provincial, and National, whether all, or any of them, and which of them, are *Jure divino*, and by the will and appointment of Jesus Christ? 4. Whether Appeals from Congregational Elderships to the Classical, Provincial, and National Assemblies, or to any of them, and to which of them, are *Jure divino*, and by the will and appointment of Jesus Christ; and are their powers, upon such appeals, *Jure divino*, and by the will and appointment of Jesus Christ? 5. Whether Oecumenical Assemblies are *Jure divino*; and whether there be appeals from any of the former assemblies to the said Oecumenical *Jure divino*, and by the will and appointment of Jesus Christ? 6. Whether, by the Word of God, the power of judging and declaring what are such notorious and scandalous Offences, for which persons guilty thereof are to be kept from the Sacrament of the Lord's Supper; and of conventing before them, trying, and actual suspending from the Sacrament of the Lord's Supper, such offenders accordingly, is either in the Congregational Eldership or Presbytery, or in any other Eldership, Congregation, or persons; and whether such powers are in them only, or in any of them, and in which of them, *Jure divino*, and by the will and appointment of Jesus Christ? 7. Whether there be any certain and particular rules expressed in the Word of God to direct the Elderships or Presbyteries, Congregations or Persons, or any of them, in the exercise and execution of the powers aforesaid; and what are those rules? 8. Is there any thing contained in the Word of God, that the supreme magistracy, in a Christian State, may not judge and determine what are the aforesaid notorious and scandalous Offences, and the manner of suspension for the same; and in what particulars, concerning the premises, is the said Supreme Magistracy by the Word of God excluded? 9. Whether the provision of Commissioners to judge of Scandals not enumerated, as they are authorized by the Ordinance of parliament, be contrary to that way of government which Christ hath appointed in his church; and wherein are they so contrary?"—In answer to these particulars the commons desired the Assembly of

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Divines to give their proofs from Scripture; and to set down the several texts thereof in the express words of the same. And ordered, "That every minister, present at the debate of any of these Questions, do, upon every resolution which shall be presented to the house concerning the same, subscribe his name, either with the affirmative or negative, as he gives his vote; and that those that dissent from the major part, shall set down their positive opinions, with the express texts of Scripture upon which they are grounded. Also that the committee, that is appointed to acquaint the Assembly of Divines with the Breach of Privilege in their last Petition, to deliver unto them the foregoing Questions."

April 23. This day lieut. general Cromwell making his appearance in the house after several months absence, the commons ordered the Speaker to return him their hearty thanks for his great and faithful services, done to this kingdom and to this parliament.

Further Papers from the Scots Commissioners.] April 27. The commons took into consideration four Papers from the Commissioners of the parliament of Scotland, which were read. The 1st contained their Answer to the whole Propositions of Peace. The 2nd, the Reasons of their Differences about the Proposition concerning the Militia. The 3rd, Citations of Passages out of several Declarations of the houses, concerning the Militia and Uniformity in Religion. The 4th, Reasons why the Treaty made at Edinburgh, Nov. 28, 1643, is a Treaty. Although the commons took these last Papers, presented by the Scots Commissioners, into consideration from time to time, and there were long debates and frequent divisions upon them, yet we find no Answer thereto in the Journals. It is very probable none was given; for Mr. Hollis, who appears to have been one of the tellers in almost every question that was moved in favour of the Scots, writes thus:* "Malice against the Scots carried them (the Independents) to discover a manifest slighting and neglecting, and (that not sufficiently provoking) a violent injuring and affronting of them. First, they vouchsafe not to answer the Papers they put into the house, some not at all, none presently (as formerly they were wont to do) nor in any convenient time; but make them wait days, and weeks, and months, for a return to what the commissioners present from the kingdom of Scotland, or from themselves in the name of that kingdom."

The King leaves Oxford in Disguise.] May 2. Colonel Rainsborough informed the lords, That four days ago there came into his quarters, near Oxford, the duke of Richmond and the earl of Lindsey, with some other gentlemen, who were then at Woodstock. Also that, by several informations, he had heard the king went out of Oxford, disguised, on Monday the 27th ult. and only Mr. Ashburnham and Dr. Hudson, a minister, with him: and that it was likely he would come to some place in or near London, and lie concealed until he saw occasion to discover himself. The two last mentioned lords were ordered to be taken into custody of the black rod, and conducted, under colonel Rainsborough's guard, to Windsor-Castle, there to remain till the further pleasure of the house was known.

The Prince of Wales's Answer to the Parliament's Invitation.] May 4. The commons sent up to the lords the following Letter from the Prince of Wales:

To the LORDS and COMMONS assembled in the Parliament of England.

"We have received your Message of the 30th of March, the 11th of this present, by which you, being informed of our late remove into this Island of Scilly, do invite us to come forthwith into your quarters, and to reside in such place, and with such council and such attendants about us, as you, the two houses, shall think fit to appoint.—We have a great and earnest desire to be amongst you, if we might have any assurance that it would prove an expedient towards a blessed Peace and the composure of these miserable distractions; and therefore, when we were compelled to depart from Cornwall, we chose this poor Island to reside in, where we hoped we might have securely attended God's pleasure, till we might have been made an instrument towards a happy Peace; but the scarcity of provisions being such in this place, that we have not since our coming hither, which is now about six weeks, received one day's victual, though we left servants of our own in our Duchy of Cornwall to take care for our necessary supply, we are again compelled to remove to the Island of Jersey, whither we hope God Almighty will direct us; which place we chose the rather, as well being part of the dominions of our royal father, (which as yet is evident to you we have no purpose to quit) as being much nearer to you, and so fitter for correspondency; and, therefore, that we may the better receive advice from you, with which we shall always comply as far as with our duty and piety we may, we desire you to send to us a Safe-Conduct for the lord Capel to come to you, and to receive from you such particular propositions for our welfare and subsistance as you think fit to make; and that he may then attend our royal father and return to us at Jersey; and thereupon we hope, by the blessing of God, you will receive such satisfaction as shall testify the great desire we have, and shall always have, to follow the counsel and advice you shall give: which will be an unspeakable comfort to us. Given at our Court in the Isle of Scilly, the 15th of April, 1646. CHARLES *P.*"

After the reading of this Letter, the lords appointed a committee of five of that house to draw up an Answer to it.

Orders occasioned by the King's leaving Oxford.] The last proceeding of this day, worth

* Memoirs, p. 53.

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notice, was the lords concurrence in a Vote sent up by the commons, "That it be hereby declared by the lords and commons in parliament assembled, That what person soever, who shall harbour or conceal, or know of the harbouring or concealing, the King's person, and shall not reveal it immediately to the Speakers of both houses, shall be proceeded against as a traitor to the commonwealth, forfeit his whole estate, and die without mercy."—Ordered also, "That the committee of the Militia of London be desired to publish this Order by beat of drum, or sound of trumpet, in the cities of London and Westminster, and the lines of communication."

Letters to the Parliament, advising that his Majesty was gone to the Scots Army.] May 7. A Letter was read in the house of lords, from the lord Montague, with some others inclosed: viz.

For the Right Hon. the SPEAKER of the House of Peers, pro tempore.

"May it please your lordship; We were this morning, about 10 of the clock, credibly informed that the king, with 3 others, came in great speed this morning, about 7, to Southwell, and went to the house of M. Montreville, the French agent. About 12 this day two of the Scots commissioners brought us a Letter, a copy whereof is here inclosed. The two commissioners presently returned, and, in this surprize, we could not, at the present, think further than to desire of them that his majesty might not remove, which they approved of; and that we might speedily meet the rest of them at Faringdon, which was consented unto. We are now going thither accordingly, and shall immediately advertise your lordships of our further proceedings; and we beseech to know the pleasure of the houses, with all possible speed, how we shall direct and guide ourselves herein. Your, &c. E. MONTAGUE. WILL. PIERREPOINT. From Col. Rossiter's Tent, at the Leaguer before Newark, 8th May, 1646."

The Letter referred to in the foregoing was as follows:

For the Right Hon. the COMMISSIONERS of the Parliament of England.

"Right Honourable; The discharging ourselves of the duty we owe to the kingdom of England, and unto you as commissioners from the same, moves us to acquaint you of the king's coming into our army this morning; which has overtaken us unexpectedly, filled us with amazement, and made us like men that dream. We cannot think that he should be so ill advised in his resolutions, as to have cast himself upon us without a real intention to give full satisfaction to both kingdoms in all their just and reasonable demands, in all those things that concern religion and righteousness. Whatsoever be his diposition and resolutions, you may be sure that we shall never entertain any thought, or correspond with any person, nor countenance any endeavours, that may, in any circumstance, entrench upon the League and Covenant, or weaken the union or confidence betwixt the two nations: that union was unto our kingdom the matter of many prayers; and as nothing was more joyful to us than to have it set on foot, so hitherto we have thought nothing too dear to maintain it; and we trust to walk with such faithfulness and truth in this particular, that as we have the testimony of a good conscience within ourselves, so you, and all the world, shall see we mind your interest with as much integrity and care as our own, being confident you will entertain no other thoughts of us. Signed by warrant and command of the Commissioners of the parliament of Scotland, by LOTHIAN. Southwell, May 5."

The Commons resolve to send the King to Warwick Castle.] This day, at a conference, the commons acquainted the lords, that, upon serious debate of the foregoing Letters, they had passed two Votes, viz.

1. "Ordered, by the and commons in parliament, That it be desired of the Scots Commissioners that were resident with their army before Newark, and also of their general there, that the person of the king might be disposed of to such a place, within this kingdom, as the two houses of parliament should appoint. 2. That the place to which the person of the king shall be disposed of, shall be Warwick castle." But it being late, the lords deferred the consideration of these Votes till next day. Accordingly,

May 8. These two Votes were warmly debated in the lords, and the question being put, Whether this house agrees with the commons in the first Vote? it passed in the negative. The same question being after put on the second Vote, this also passed in the negative.

Protest thereupon.] The following lords entered a Protest, with their reasons, against this and the former Vote: a custom rarely practised at this time. After reciting both the Votes, as before, they added,

"We, whose names are underwritten, having, before the putting of the aforesaid question, demanded our right of protestation, if the question was carried in the negative, as it was; and finding, by Letters of the 6th inst. from the commissioners of the parliament of England, near Newark, this day read in the house of peers, That strict guards were kept by the Scots army about the house where the king then was, and none suffered access to his person without their permission, we conceive this to be a matter of so high concern, both to the parliament and kingdom, (That in such a case the houses of parliament should not desire that the person of the king of England may be disposed of to such a place, within this kingdom, as the houses should appoint) That, to clear ourselves from the ill consequences that may ensue thereupon, we have thought fit to enter this our Dissent and Protestation against it, which we do accordingly. Middlesex, Denbigh, Northumberland, Pembroke and Montgomery, Nottingham, Kent, Salisbury, Say and Sele."

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Newark surrendered to the Parliament, by the King's Orders.] The Letters referred to in the foregoing Protest were read this day in the house of lords, before the debate and putting the question about the Votes. They contain an account of the Surrender of Newark, and the Articles on which it was yielded up.

The Scots Commissioners Account of the King's coming into their Army.] After this the earl of Manchester reported a Letter which had come from the Committee of Scotland, residing with the Army before Newark; the purport of which was to assure the houses that the king, when he came into their army, offered the town and garrison of Newark to be surrendered into the hands of the Scots and English Commissioners; but that they made it their desire to the king, that it might be surrendered into the hands of the parliament of England only, for the better preserving the good correspondency between the two kingdoms, and preventing of jealousies. The Letter itself runs thus:

"Right Honourable; The earnest desire which we have to keep a right understanding between the two kingdoms, moves us to acquaint you with that strange providence wherewith we are now surprized, together with our carriage and desires thereupon. The king came into our army yesterday in so private a way, that after we had made search for him, upon the surmises of some persons who pretended to know his face, yet we could not find him out in sundry houses.* And we believe your lordships will think it was matter of much astonishment to us, seeing we did not expect he would have come into any place under our power. We conceived it not fit to enquire into the causes that persuaded him to come hither, but to endeavour that his being here might be improved to the best advantage, for promoting the work of uniformity, for settling of religion and righteousness, and attaining of Peace according to the League and Covenant, and Treaty, by the advice of the parliaments of both kingdoms, or their commissioners authorized for that effect. Trusting to our integrity, we do persuade ourselves that none will so far miscoustrue us, as that we intend to make use of this seeming advantage for promoting

* The following account of the King's flight to the Scots Army, and the reception he there met with, is given by Mr. Hume:—"That he might the better conceal his intentions, orders were given at every gate in Oxford, for allowing three persons to pass; and in the night the king, accompanied by none but Dr. Hudson and Mr. Ashburnham, went out at that gate which leads to London. He rode before a portmanteau, and called himself Ashburnham's servant. He passed through Henley, St. Albans, and came so near to London as Harrow on the Hill. He once entertained thoughts of entering into that city, and of throwing himself on the mercy of the parliament. But at last, after passing through many cross roads, he arrived at the Scottish camp before Newark. The parliament, hearing of his escape from Oxford (5th May), issued rigorous orders, and threatened with instant death whoever should harbour or conceal him. The Scottish generals and commissioners affected great surprise on the appearance of the king: and though they paid him all the exterior respect due to his dignity, they instantly set a guard upon him, under colour of protection, and made him in reality a prisoner. They informed the English parliament of this unexpected incident, and assured them that they had entered into no private treaty with the king. They applied to him for orders to Bellasis, governor of Newark, to surrender that town, now reduced to extremity; and the orders were instantly obeyed. And hearing that the parliament laid claim to the entire disposal of the king's person, and that the English army was making some motions towards them; they thought proper to retire northwards, and to fix their camp at Newcastle. This measure was very grateful to the king; and he began to entertain hopes of protection from the Scots. He was particularly attentive to the behaviour of their preachers, on whom all depended. It was the mode of that age to make the pulpit the scene of news; and on every great event, the whole scripture was ransacked by the clergy for passages applicable to the present occasion. The first minister who preached before the king, chose these words for his text: 'And behold all the men of Israel came to the king, and said unto him, Why have our brethren, the men of Judah, stolen thee away, and have brought the king and his household, and all David's men with him, over Jordan? And all the men of Judah answered the men of Israel, Because the king is near of kin to us; wherefore then be ye angry for this matter? Have we eaten at all of the king's cost? or hath he given us any gift? And the men of Israel answered the men of Judah, and said, We have ten parts in the king, and we have also more right in David than ye: Why then did ye despise us, that our advice should not be first had in bringing back our king? And the words of the men of Judah were fiercer than the words of the men of Israel.' But the king soon found, that the happiness chiefly of the allusion had tempted the preacher to employ this text, and that the covenanting zealots were no-wise pacified towards him. Another preacher, after reproaching him to his face with his misgovernment, ordered this psalm to be sung;

Why dost thou, tyrant, boast thyself
Thy wicked deeds to praise:

The king stood up, and called for that psalm which begins with these words,

Have mercy, Lord, on me, I pray;
For men would me devour:

The good-natured audience, in pity to fallen majesty, showed, for once, greater deference to the king than to the minister, and sung the psalm which the former had called for."

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any other ends than are expressed in the Covenant, and have been hitherto pursued by us with no less conscience than care. And yet, for further satisfaction, we do ingenuously declare, that there hath been no treaty or capitulation betwixt his majesty and us, nor any in our names; and that we leave the ways and means of Peace unto the power and wisdom of the parliaments of both kingdoms: and so far as concerns us, as we have a witness in heaven, we are confident to make it appear to the world, that there is nothing more in our desires than, in all our resolutions and proceedings, to adhere to the Covenant and Treaty. Our gravest thoughts shall be taken up in studying, and our utmost abilities employed in acting, those things that may best advance the public good and common happiness of both kingdoms; wherein, by the help of the most high, we shall labour to use so much tenderness and care, that we hope it shall soon appear that our actions have been the issue and result of honest and single intentions.—And, further, we cannot, in a matter of so deep consequence and common interest, but seek your lordship's advice; for which effect we have also written to the Committee of Estates of Scotland, with intentions to move, by your joint counsels and resolutions, that we at last, after a seed time of many afflictions, may reap the sweet fruits of truth and peace: and, in this confidence, we remain, your, &c. Leven, Balcarras, Dumfermline, Hume, Lothian, R. Frecbairn, W. Glendinning, Tho. Carr, J. Johnston. Southwell, May 6, 1646."

Next was read a Paper, to back the former, from the Scot Commissioners residing in London. The lords, taking these Papers into consideration, resolved, That the present Letters from the Commissioners of the Parliament, and from the Commissioners of the Estates of Scotland residing with the Army before Newark, and the Paper delivered in this day by the Scots Commissioners, be made known to sir T. Fairfax; and that it be signified unto him, that this house thinks fit that he should not send any forces to Newark.—It was also ordered, that these lords following, viz. the earls of Northumberland, Denbigh, Manchester, and Lincoln, viscount Say and Sele, with the lords, Roberts, Wharton, and Willoughby of Parham, should consider of the drawing up of a Letter to be sent to the king from both houses, to propose that all Garrisons may be slighted and dismantled, and all armies and forces, both in England, Scotland, and Ireland, and all other forces whatsoever that have any commission from the king, may be speedily disbanded; and that the consent of the Scots commissioners be desired therein.

Complaint from the Scots Commissioners, of their Messenger being stopped by the Guards.] May 9. The Scots Commissioners in London sent a Letter to the house of lords this day, complaining, "That a gentleman, employed by the other commissioners for Scotland, and having their pass to them in London, was ordered to go back into Scotland with their letters and pass; but was stopped the night before by the guards, or some other persons, in or about London, their letters opened and taken from him, and himself kept up; which was an injury they could not have expected, but left it to the wisdom of the houses to consider how important it was; and to take such course for delivering their letters, and repairing of this unjust action, as might be a testimony of affection and justice to their servants, Loudon, Lauderdale, A. Johnston, Char. Erskine, H. Kennedy, Robert Barclay."

The lords ordered that a strict examination should be made what officers were upon guard the last night, and who stopped and took the Letters, and make a report of it to that house.

Captain Massey's Reasons for so doing.] May 11. A further account was given to the lords of this business, under the hand of one captain Massey, in these words:

"I, Francis Massey, one of the captains of col. Bradley's regiment, having the command of the guard at Shoreditch, on Thursday night last, a Scots gentleman was staid at the passage about 9 o'clock; who being, as he said, going, to the Scots Army, and shewing no pass under any hand known to me, I caused him to be staid and searched; and finding divers Letters about him, which he told me he knew not from whom he had them, upon which two of them were opened, one by myself, and the other by one of the guard, whom I know not; and conceiving the matter of that Letter, which was not writ in characters, to be prejudicial to the parliament and kingdom, as being a means of having the private debates of the house of commons published, my conscience told me that I ought not to let pass any such Letters without the consent and knowledge of the parliament, which caused me to stay the person and Letters until the morning; at which time I presented them to the house of commons, where the Letters are now remaining, but the person discharged, which was done upon Friday last. F. Massey."

The lords ordered a copy of this Answer to be sent to the Scots Commissioners, and that captain Massey have notice to attend their house on the Tuesday morning next.

Capt. Massey committed to the Fleet by the Lords; but discharged by the Commons.] May 16. On a further examination into this affair, capt. Massey was committed, by the lords, prisoner to the Fleet, during pleasure, for opening the Letters of the Scots Commissioners, and not observing his orders and directions. The lords also appointed a committee to inquire further into this business; but captain Massey was, some few days after, released by order of the commons without payment of fees. Lord Hollis writes, "The reason they alledged for discharging the captain was, That the lords had broke their privileges in imprisoning one who was under examination of their committee (for they had also referred the business to a committee): but, in truth, not to do the kingdom

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of Scotland any right in punishing the offender, but to affront it the more in protecting him."

The Scots Commissioners Vindication of their Proceedings, upon the King's coming into their Army.] May 21. About this time it was that the Scots Army marched from Newark homewards, and carried the king with them. They had brought his majesty as far as Newcastle, before any public intelligence was given to the parliament where he was conveyed. However, this day, the lords received a Letter from the earl of Lauderdale, one of the Scots Commissioners, to this effect:

"That, for the preventing of all false informations, they thought fit to acquaint the honourable houses with a Proclamation published by his excellency the earl of Leven at Durham: that his majesty came into Newcastle without any solemnity; and that none of the Scots nation are admitted to come into that garrison, without a warrant from the Committee of Estates of that kingdom; nor none of this nation, unless they have a warrant from both houses of parliament, their commissioners, or the magistrates of Newcastle: that the Committee of Estates of Scotland, residing at Edinburgh, upon notice of his majesty's coming to their army, forthwith emitted a Proclamation, inhibiting all his subjects, of whatsoever quality or degree, to go out of the kingdom without their warrant, under the pain of being pursued as public enemies. They had also sent some of their number to assist the committee of their army with directions, that they proceed with the joint advice and consent of the commissioners of both houses, according to the Covenant and Treaty. But that they now earnestly entreat his majesty to grant the joint desires of both kingdoms, when they shall be presented unto him; and, in the mean time, that he grant no titles of honour, pensions, or places, to any of the subjects of Scotland; and, in every thing else, to study a fair correspondency between the two kingdoms. Dated from Worcester-house, May 20, and signed LAUDERDALE."

The King's Letter to the Parliament of England, with Proposals for Peace.] May 25. A Letter was read in the house of Lords, which came from the King himself, dated the 18th from Newcastle, where he then was; the Scots having, by a quick march, conveyed him thither: from thence therefore his majesty addressed himself to the parliament as follows:

"C. *R.* His majesty having understood from both his houses of parliament, That it was not safe for him to come to London (whither he had purposed to repair, if so he might, by their advice, to do whatsoever may be best for the good and peace of both kingdoms) until he shall first give his consent to such Propositions as were to be presented to him from them; and being certainly informed that the armies were marching so fast up to Oxford, as made that no fit place for treating, did resolve to withdraw himself hither, only to secure his own person, and with no intention to continue this war any longer, or for to make any division between his two kingdoms; but to give such contentment to both, (and so to preserve himself for the good of both) as, by the blessing of God, he might see a happy and well-grounded Peace, thereby to bring prosperity to these kingdoms, answerable to the best times of his progenitors. And since the settling of Religion ought to be the chiefest care of all councils, his majesty most earnestly and heartily recommends to his two houses of parliament all the ways and means possible for speedy finishing this pious and necessary work; and particularly that they take the advice of the Divines of both kingdoms, assembled at Westminster. Likewise concerning the Militia of England; for securing his people against all pretensions of danger his majesty is pleased to have it settled as was offered at the Treaty of Uxbridge; all the persons being to be named for that trust by the two houses of the parliament of England for the space of 7 years; and, after the expiration of that term, that it be regulated as shall be agreed upon by his majesty and his two houses of parliament. And the like for the kingdom of Scotland. Concerning the Wars in Ireland; his majesty will do whatsoever is possible for him to give full satisfaction therein. And if these be not satisfactory, his majesty then desires that all such of the Propositions as are already agreed upon by both kingdoms, may be speedily sent unto him; his majesty being resolved to comply with his parliament in every thing that shall be for the happiness of his subjects, and for the removing of all unhappy differences, which have produced so many sad effects. His majesty having made these offers, he will neither question the thankful acceptation of them; nor doth he doubt but that his two kingdoms will be careful to maintain him in his honour, and in his just and lawful rights; which is the only way to make a happy composure of these unnatural divisions: and likewise will think upon a solid way of conserving the peace between the two kingdoms for time to come; and will take a speedy course for easing and quieting his afflicted people, by satisfying the public debts, by disbanding of all armies, and whatsoever shall be judged conducible to that end; that so all hinderances being removed, he may return to his parliament with mutual comfort. P. S. His majesty being desirous to shun the further effusion of blood, and to evidence his real intentions to Peace, is willing that his forces in and about Oxford be disbanded, and the fortifications of the city dismantled, they receiving honourable conditions; which being granted to the Town and Forces there, his majesty will give the like order to the rest of the Garrisons." Newcastle May 18, 1646."

The following Letter, of the same date as the former, from the king, directed to sir T. Glemham, governor of Oxford, was also read:

"C. *R.* Trusty and well-beloved, we greet you well: Being desirous to stop the further effusion of blood of our subjects, and yet respect-

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ing the faithful services of all that are in our city of Oxford, which have full faithfully served and hazarded their lives for us, we have thought good to command you to quit that city, and to disband the forces under your command there, you receiving honourable conditions for you and them."

Letters from the Scots Commissioners in relation to their Army, and their Conduct towards the King.] A Letter from the Scots Commissioners residing in London, along with some other Letters from their Commissioners in the North were also read:

For the Right Hon. the SPEAKER of the House of PEERS pro tempore.

"Right Honourable, We are desired, by the Committee of estates of the Kingdom of Scotland residing with the Scots Army, to communicate to the hon. houses the Letters and Papers herewith presented; wherein it will appear how careful they have been in exhorting his majesty to give satisfaction to the joint desires of both kingdoms, without meddling in any Propositions of Peace. They have also renewed their desires for advice from hence, and do earnestly intreat that commissioners may be sent from both houses to join with them, and to be witnesses of all their actions; wherein they endeavour nothing more, than that they may be such as may give equal satisfaction to both the kingdoms. We are further desired to acquaint their lordships with the particulars of a Letter written by col Poyntz, to lieut. gen. D. Lesley; wherein he doth require, That if he had any forces about Ripon, he retire them to some other place; and if he had appointed any more to come thither, that he recal his orders; all which he advised him speedily to perform, as he would evidence to the world, that the intention of the coming of the Scots Army into this kingdom was to pursue the common enemy, and not to be troublesome, or incroach upon their friends. To this lieut. gen. Lesley returned a civil Answer, shewing him, That his commands should be obeyed; and accordingly did forthwith withdraw his forces from those parts, being desirous, according to the directions given unto him, to avoid all occasions of difference and contest: upon consideration whereof, it is their earnest desire, That as directions are given by them to all the officers of the Scots army, so the hon. houses would be pleased to give order to the commanders of their forces in those parts to forbear all provoking expressions, speeches, or actions, which may give just cause of offence. And for preventing all disorders and inconveniences, they do earnestly intreat, That directions may be speedily sent to the committee at York, to appoint them quarters, that a considerable supply of money may be sent to them now, after so much want and so long suffering: which desires being so reasonable and so often renewed, we are persuaded the hon. houses will take them into their serious consideration, and return a speedy and satisfactory Answer. May 25, 1646."

Another Letter was read, addressed to the Speaker of the house of peers, from the Scots Commissioners at Newcastle; in which were closed copies of several Papers delivered by them to the king:

"Right honourable; By our last to you, of the 6th of May, we gave your lordships an account of the manner of his majesty's coming into our army, and did crave your advice what was to be done for the public good and mutual happiness of both kingdoms; and though as yet we have had no Answer returned, we esteem it incumbent upon us, in pursuance of the ends contained in the Solemn League and Covenant, which have been, and ever shall be, the scope of our intentions, to give your lordships a farther account of what is passed betwixt his majesty and us, that you may know the true posture of affairs here. We did acquaint the Committee of estates at Edinburgh with the king's unexpected coming to us, who did send up some of their members to assist us in our desires to his majesty. All our labours and endeavours have been, that he would have been pleased to send such a satisfactory message to the parliament of England, and our commissioners at London, as might be a happy entrance to the settling of religion and a well-grounded Peace; and, for this effect, those who were intrusted by the committee of estates, by our advice, gave in several Papers to his majesty, representing the resolutions of the kingdom of Scotland; whereof we have sent to our commissioners just copies, who will shew the same to your lordships, and give you a further account of all that is passed. We earnestly desire that the parliament of England may be pleased to send some commissioners from them to be witnesses of our actions, and to give us concurrence and assistance of what may fall in our way here; and, in the meantime, that the parliament will cause to make timely provisions for our army, from London, and give orders for their quarters in such places as may be most convenient for their army. Signed by the Warrant and at the Command of the Commissioners for the Parliament of Scotland. LOTHIAN. May 19, 1646."

Petition from the City of London to the Lords, for suppressing the Independents, for a good Correspondence with the Scots, for relief from the heavy Taxes, &c.] May 26. A Remonstrance and Petition from the city of London was presented to the lords by alderman Foot, a famous orator of the city's at that time, and who had often appeared before them on the like occasion. He was accompanied now by divers other aldermen, and many common council men: this Remonstrance, which is an abstract of the history of these times, was as follows:

To the Right Hon. the Lords assembled in the High Court of Parliament: The Humble REMONSTRANCE and PETITION of the Lord Mayor, Aldermen, and Commons, of the City of London, in Common Council assembled.

"Our duty, in the first place, doth lead us

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to begin all our addresses, as we most heartily and humbly do these, with all due and humble acknowledgment of the great labours and endeavours which your lordships have, these many years, employed in reformation of the Church and Commonwealth, and in the preservation of both, with the humble tender of our constant devotion to serve the parliament, according to our Covenant made before Almighty God. In the next place, we do most humbly crave pardon, although we do presume again to return unto your lordships; and humbly, yet plainly, lay open the sorrows and fears of our hearts, even in this season when God hath blessed your armies with the greatest successes, and that man might persuade himself that the war is almost at an end: For, first, when we remember that it hath been long since declared to be far from any purpose or desire to let loose the golden reins of discipline and government in the Church, or to leave private persons or particular congregations to take up what form of divine service they please; when we look upon what both houses have resolved against Brownism and Anabaptism, properly so called; when we meditate upon our Protestation and Covenant; and, lastly, when we peruse the Directory, and other Ordinances for Presbyterial government; and yet find private and separate congregations daily erected in divers parts of the city and elsewhere, and commonly frequented; and Anabaptism, Brownism, and almost all manner of schisms, heresies, and blasphemies, boldly vented and maintained, by such as, to the point of Church-Government, profess themselves to be Independent, we cannot but be astonished at the swarms of sectaries which discover themselves every where; who if, by their endeavours, they should get into places of profit and trust in martial and civil affairs, it might tend much to the disturbance of the public peace, both of the church and commonwealth.—We also cannot but call to mind what vows we have made to God in the same Covenant, as well as our former Protestations to preserve the rights and privileges of the parliament, and the liberties of the kingdoms, and to preserve and defend the king's majesty's person and authority in the preservation and defence of the true religion and liberties of the kingdoms; that the world may bear witness with our consciences of our loyalty, and that we have no thoughts or intentions to diminish his majesty's just power and greatness; and do rest in the assurance we have received in the many former Declarations of both houses concerning their intentions towards his majesty, his royal posterity, and the peace of this kingdom; which we doubt not but your lordships will pursue with all speedy dispatch of Propositions to his majesty, now whilst God doth so mercifully and miraculously go along with our armies in all the parts of the kingdom.—We may not, in the next place, forget our Brethren of Scotland; how, first, they were invited to engage with this kingdom in God's cause, when yet they were at peace at home; in what Covenant this nation is mutually linked with them; at what time, in relation both to the weak condition of our forces then, and the season of the year, they adventured upon an enemy warmly lodged, and well armed and prepared; what they have since suffered for this cause in their own kingdom; how successful ever since God hath made our forces in suppressing the common enemies of both nations; and what present hopes we have of a well settled Peace while we continue in this mutual amity; and then cannot but lament the many jealousies which the enemies of our peace, union, and good government do now strive to beget betwixt both nations; and we tremble at the sad effects thereof, if not timely prevented by the wisdom of the parliaments of both kingdoms.—We cannot also omit humbly to represent unto your lordships consideration, how many citizens have already suffered, and how many more will be undone, if your lordships shall still make use of that antient privilege to protect yourselves, the assistants of this honourable house, and the servants of both, and others, from being proceeded against in any course of law for Debt; which now, because this parliament hath already sat so long, and is likely, by reason of the unsettledness of affairs, to sit much longer, would especially require some expedient for relief of so many as, otherwise, must daily suffer under this privilege.—And now that the kingdom is almost reduced, by which means the Revenues of the kingdom will be unburthened, and the Customs and Excise increase, and the public charge of the kingdom decrease; now that delinquents do daily come in and compound; and now that the enemy have but few holds left, we hope that the great and extraordinary taxes and burthens on this city, and their trade, shall be, for the future, abated; that the Debts owing to the city and citizens of London, either by particular assurances of parliament, or upon the public faith of the kingdom, be taken care for and discharged, as well as those assigned upon the Excise; and may not be diverted from the uses appointed by former Acts and Ordinances.—And we humbly crave leave to present, to the consideration of this hon. house, the Committee of Haberdasher's hall, as being one of the greatest grievances of this city; and which, so long as it is continued, doth hinder the concourse of people thereunto, and tendeth much to the destruction of the trade and inhabitants thereof:—And now also we doubt not but God will give the parliament some better means and opportunities of relief of our bleeding Brethren in Ireland, and the suppressing of those horrid rebels, and reducing of that kingdom; wherein, besides the public and common interest, we are particularly concerned.—Lastly, we should have much to say for this city, if we could imagine that its fidelity, and constant services and devotion to the parliament, could either be questioned or forgotten; that little we shall express on the

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part of the city is, not to repeat how zealous we have been in the cause of God and this parliament; how we have spilt our blood, and spent and laid out ourselves and our estates in maintenance thereof; how many public acknowledgments we have by us of the favourable acceptances of them, and promises to leave testimonies thereof to all future ages; but only to beseech your lordships to consider how much our hearts may justly be dejected, now that God hath followed your endeavours and our prayers with so many successes, and brought the war to a probable period, as to the sense of man; that the enemies of our peace should strive now to sow jealousies between the parliament and this city, as hath been too evident of late; and, particularly, should so far prevail, as to be able to render the chief magistrate of this city, the lord mayor, (alderman Adams) suspected; unto whom we cannot but give this just testimony, that he, in his place, hath faithfully behaved himself, and carefully discharged his office.—We could add much more of the daily invectives against us from the pulpit, and other places, where the boutefeus of these sectaries are admitted; the scurrilous and seditious Pamphlets daily broached in and against the city; and the great contempt of, and discouragement to, the ministers of the Gospel, who adhere to the Presbyterial government: but we shall conclude with this brief and humble Representation of our Petitions and desires to your lordships, in the name of the whole city: 1. That some speedy and strict course may be taken for the suppressing all private and separate Congregations. 2. That all Anabaptists, Brownists, Schismaticks, Hereticks, Blasphemers, and all such Sectaries as conform not to the public discipline established, or to be established, by parliament, may be fully declared against; and some effectual course settled for proceeding against such persons. 3. That as we are all subjects of one kingdom, so all may be equally required to yield obedience unto the government set forth, or to be set forth by the parliament. 4. That no person disaffected to the Presbyterial government, set forth, or to be set forth by parliament, may be employed in any place of public trust. 5. That your lordships would please to hasten Propositions to his majesty for settling a safe and well-grounded Peace amongst us, after so long and unnatural a war. 6. That your lordships, according to the Covenant and Treaties, will please to study all means to preserve the union betwixt the two nations of England and Scotland, and to remove all jealousies which may endanger our mutual agreement. 7. That your lordships would please to consider of some means, whereby the Privileges which the members of this hon. house and their assistants, and the servants of both, and others, enjoy, by being protected and exempted from being proceeded against for their Debts, may be so qualified, as that the subject may be able to recover his own in some due time. 8. That all public Revenues and Receipts may be employed for public uses, that so the Taxes of the city may be abated. 9. That the estates and compositions of delinquents may, according to the engagements by Ordinance of parliament, be applied to discharge the great sums owing to this city and citizens. 10. That the Plymouth Duty may be taken off the trade, especially now that the West is reduced. 11. That the committee at Haberdashers-hall may be presently dissolved, or at least so limited and regulated, as that the city may have no cause of complaint. 12. That the reducing the kingdom of Ireland may be taken into consideration, before the good Party there be too far wasted and discouraged. 13. That the lord mayor of this city may be fully vindicated. 14. And lastly, and above all, That your lordships will please not to look upon any expressions of this our Remonstrance and Petition, as charging any thing upon your lordships, or as intended to intrench upon any privilege of this hon. house; but favourably to accept thereof, and so to interpret the same as, from a single and humble heart, it is sincerely (without any bye ends, or to comply with any party whatsoever) intended and breathed forth from the sad hearts of the petitioners, who are overwhelmed with many fears on all sides; and who call God, the Searcher of all Hearts, to witness that, according to their Covenant and duty, their zeal, devotion, and obedience is as fervent and prostrate as ever to serve the parliament with their lives and estates, against all the enemies of our Peace, and to conjoin the city more and more to the parliament, and to maintain the union of both nations against all opposers whatsoever. All which we humbly submit unto the wisdom of this honourable house. MITCHELL."

After presenting the foregoing Petition, Mr. Foot said he was commanded by the lord Mayor, aldermen, and common council-men of London, to acquaint the house with a copy of a Letter that the king sent lately to the lord mayor; and it being opened only yesterday, they think it fit to present the same to the knowledge of their lordships; which Letter was read:

For our Right Trusty and Well-beloved the Lord Mayor, Aldermen, and Common Council-Men of our City of London: Newcastle, May 19, 1646.

"C. R. Right Trusty and Well-beloved, we greet you well; Having expressed our resolutions to the two houses of our parliament of England, and the committee of estates of our parliament of Scotland, to give all just satisfaction to the joint desires of both kingdoms, we have likewise now thought fit to assure the two chief cities of both our kingdoms, that nothing is more grievous to us than the troubles and distractions of our people; and that nothing on earth is more desired by us, than that, in Religion and Peace, with all the comfortable fruits of both, they may henceforth live under us in all godliness and honesty;

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and this profession we make for no other end, but that you may know immediately from ourselves our integrity and full resolution to comply with our parliaments in every thing for setting truth and peace, and our desire to have all things speedily concluded which shall be found requisite for that end; that our return to that our antient city may be to the satisfaction of our parliament, the good liking of you and all our good people, and to our own greater joy and comfort. We bid you heartily farewell."

Answer of Thanks from the Lords to the foregoing Petition.] To the foregoing Petition the lords returned the following Answer, by their Speaker:

"The lords are very sensible of the great fidelity and constant services of the lord mayor, aldermen, and common council of the city of London to this present parliament, which they shall never forget. They acknowledge their zeal, expressed upon all occasions, in the cause of God and this parliament; and how readily they have spilt their blood, and spent and laid out themselves and their estates in the maintenance thereof: they are very well satisfied with your expressions and care to settle the true Reformed Protestant Religion according to the Covenant, and with your desires to have all heresy, schism, and blasphemies suppressed; as also with your respect to preserve the rights and privileges of parliament, the liberties of the kingdoms, and to preserve and defend his majesty's person and authority in the preservation of the true religion and liberties of the kingdoms, his royal posterity and the peace of the kingdoms; as also for your desires for continuance of that union between us and our brethren of Scotland, of whose services and sufferings we shall not only hold a grateful memory, but, upon all occasions, give a retaliation: unto all which we hold ourselves, equally with you, obliged by our Solemn League and Covenant. As to the person of the lord mayor, the lords hold a high esteem of him, according to his merit, and have commanded me to let you know, that nothing hath passed this house, at any time, in prejudice of him; and when the particulars, wherein he finds himself aggrieved, shall be made known unto them, they shall be ready, in a parliamentary way, to do him right. The lords will take the other particulars of your Petition into serious and speedy consideration; and have commanded me to give you hearty thanks for the real testimonies of duty and good affections, which not only by your words but by your actions you have constantly manifested unto them."

Then it was resolved, That this Remonstrance and Petition shall be printed and published, and likewise the foregoing Answer to the same.—Although this Petition was so well received by the lords, yet, as Mr. Whitlocke observes,* many in the house of commons expressed great offence at it when it came before them, that the city should take upon them to prescribe to the parliament what they were to do: and as it was looked upon to be wholly a design of the Presbyterian party, it was not liked, and received but this cold Answer to it, 'That it would be taken into consideration when time shall be convenient.' And it appears from the Journals, that even this Answer was not obtained without great opposition; the numbers on the previous question being 148 against 113; and, on the main question, 151 against 108. General Ludlow† calls this Petition an insolent address from the mayor and common council of the city of London: and the Answer of the commons he stiles a positive Declaration, that they resolved to preserve their authority entire to themselves; for that there was a party in the house of the same temper with the addressers, who earnestly endeavoured to break the army as the principal obstacle to their designs.

The Scots Commissioners Vindication of their Conduct, on presenting to the Lords the King's Letter to the Marquis of Ormond.] June 8. The Scots Commissioners sent a Letter to the lords, with one inclosed from the king to the Marquis of Ormond, in Ireland; both which sufficiently explain themselves:

For the Right Hon. the SPEAKER of the House of Peers, pro tempore.

"Right Honourable; This inclosed Paper having very lately come to our hands; which, although it had not so much as colour enough to deceive, yet, nevertheless, as major-general Monro, in testimony of his integrity, did communicate the thing to the commissioners of parliament in Ulster; so we, for preventing mistakes, (many copies of the same thing being spread among the people) have thought good to communicate the same to the honourable houses, with our sense upon it; that, by their wisdom and reciprocal care, a right understanding in all things may still be preserved between the kingdoms. Whether any such Letter was signed by the king at Oxford, or whether it was invented of purpose to support a declining party, we do not know; what may concern the king in it we leave to himself, who as he hath, since the date of that Paper, expressed contrary intentions and resolutions in his Messages to both kingdoms, so he can best tell what he wrote at that time; we are only to speak the matter of the Paper which cometh from the hand of secretary Nicholas, unto whose informations what credit ought to be given, the houses very well know. It doth consist with our perfect knowledge, and we declare it with as much confidence as ever we did or can do any thing, that the matter of the Paper, so far as concerneth any assurance or capitulation for joining of forces, or for combining against the houses of parliament, or any other private or public agreement whatsoever, between the king on the one part, and the kingdom of Scotland, their army, or any in

* Memorials, p. 219.

† Memoirs, vol. i. p. 179.

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their name, and having power from them, upon the other part, is a most damnable untruth. We shall not need to express how improbable it is, if there had been any such agreement, that the king about the same time should have sent a Message to both houses, offering to come to London, and to follow their advice in all things, without offering any satisfaction to the kingdom of Scotland; and that, before he received the Answer of the houses, he should write such a Letter to Ireland, and give orders to make it known not only to his privy council, but to his other subjects of that kingdom: Nor will we insist how improbable it is that the king should make this known to the marquis of Ormond, and neglect to acquaint the late earl of Montrose, who had been much more concerned, and who would, no doubt, if he had known any such thing, have communicated the same to major-general Middleton; and prevented the defeating of himself, his associates and forces, about the middle of May, after the king was with the Scots army: Nor how unlikely it is that he who is, for the time, commander in chief for the Scots forces in Ireland, should be for the space of 7 or 8 weeks totally ignorant of any such agreement; or, if he had known of any such, that he should not have communicated it to the commissioners of the parliament, and immediately marched himself to the field against the enemy: Nor shall we need to call to mind the expressions in the lord Digby's intercepted Letters, which gave our nation the character of such as could not be gained to that side; no not after all applications used. There are other more sure and more public testimonies since the date of that lying Paper, which makes the falsehood of it more than palpable; as if divine providence had purposely ordered all the late actions of the kingdom of Scotland and of their forces, both before and since the 13th of April, to be so many real confutations of that groundless invention; we mean several late fights with the rebels under the late earl of Montrose, and Alaster Macdonald; the delivery of Newark; the restraining and debarring of delinquents and malignants from the king's person and from our army; the late public Declarations of the church and state of Scotland in the beginning of April; as likewise of the general and committee with the army, agreed upon about the end of April, and published the 15th of May, in Scotland, against a band of the earl of Seaforth and his associates; as for other reasons, so especially for this, that the said band did tend to the weakening of the confidence and union between the two kingdoms, firmly joined and mutually engaged for assistance to each other in this cause, as may appear more fully by the Declaration herewith presented: Nor can we pass over the Paper delivered to the king, by the committee of estates, the 15th of May last, That if his majesty should delay to go about the readiest ways and means to satisfy both his kingdoms they would be necessitated, for their own exoneration, to acquaint the committee of both kingdoms at London; that a course might be taken by joint advice of both kingdoms, for attaining the just ends expressed in the Solemn League and Covenant. We shall say no more of this particular. God hath his own time to make manifest who have dealt sincerely and who falsely; and as our nation did refuse to join with the enemy's forces when they were strongest, and did join with our brethren of England in their weakest and most necessitous condition; so we shall never look for a blessing from God upon either nation longer than they continue faithful to God and to each other, according to the Covenant and Treaty. And we do confidently expect, from the wisdom and justice of the honourable houses, that this and such like Papers shall find no more credit here than Papers and Declarations against themselves did formerly find in Scotland; and that Declarations and public Papers from the kingdom of Scotland, or their committees or commissioners, shall have such acceptation with both houses as they desire Declarations from themselves, or Papers from any in their name, may have with their brethren of Scotland. Nor do we doubt but God will dissipate all these clouds of calumnies, and misunderstandings endeavoured thereby, and will give such a frame of spirit to both nations, as may continue them in a brotherly accord and mutual confidence for the good of both this and of the succeeding generations; which hath been, is, and shall be, most earnestly wished and faithfully endeavoured by Your very affectionate friends &c. Lauderdale. A. Johnston. C. Erskine. H. Kennedy. R. Barclay. Worcester-House, June 8, 1646. P. S. We have sent your lordships here inclosed an Order of the committee of estates at the army, which will evidence their care to remove out of that army all such against whom any just complaints have been made by the country."

The King's Letter to the Marquis of Ormond, setting forth his Reasons for going into the Scots Army.] The King's Letter to the Marquis of Ormond, lord-lieutenant of Ireland, inclosed in the foregoing, was as follows:

"C. *R.* Right Trusty and intirely beloved cousin and counsellor, we greet you well; Having used all possible and honourable means by sending many gracious Messages to the two houses of parliament, wherein we have offered them all they have heretofore desired; and desire from them nothing but what they themselves, since these unhappy wars, have offered, to procure our personal Treaty with them, for a safe and well-grounded Peace; and having, instead of a dutiful and peaceful return to our said Messages, received either no Answer at all, or such as argues nothing will satisfy them but the ruin, not only of us, our posterity, and friends, but even of monarchy itself: And having lately received very good security that we, and all that do or shall adhere to us, shall be safe in our persons, honours, and consciences, in the Scots Army; and that they shall really

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and effectually join with us, and with such as will come in unto us, and join with them for our preservation, and shall employ their armies and forces to assist us to the procuring of an happy and well-grounded Peace, for the good of us and our kingdoms, in the recovery of our just rights: we have resolved to put ourselves to the hazard of passing into the Scots army, now lying before Newark; and if it shall please God that we come safe thither, we are resolved to use our best endeavours, with their assistance, and with the conjunction of the forces under the Marquis of Montrose, and such of our well-affected subjects of England as shall rise for us, to procure, if it may be, an honourable and speedy Peace with those who have hitherto refused to give ear to any means tending thereunto: of which our resolution we held it necessary to give you this advertisement, as well to satisfy you, our council, and all our loyal subjects with you, to whom we will that you communicate these our Letters, that failing in our earnest and sincere endeavours, by Treaty, to put an end to the miseries of these our kingdoms, we esteemed ourself obliged to leave no probable expedient unattempted, to preserve our crown and friends from the usurpation and tyranny of those whose actions declare so manifestly their design to overthrow the laws and happy established government of this kingdom. And now we have made known unto you our resolution, we recommend to your special care the disposing and managing of our affairs on that side, as you shall conceive most for our honour and service; being confident the course we have taken, though with some hazard to our person, will have a good influence on that our kingdom, and defer, if not altogether prevent, the rebels transporting of forces from them into that kingdom. And we desire you to satisfy all our well-affected subjects on that side, of our princely care of them; whereof they shall receive the effect as soon as God shall enable us. We desire you to use some means to let us and our council at Oxon hear frequently from you, and of your actions and condition there. And so God prosper your loyal endeavours. Given at our Court at Oxon the 13th April, 1646. By his majesty's command, Ed. Nicholas."

This Letter from the king was sent, by the marquis of Ormond, to major-general Monro, under the following cover:

"Sir; Having this morning received a dispatch from his majesty, and command to impart it not only to his council, but to all his loyal subjects, I am confident you have so good title to a knowledge thereof, that I have held it my part instantly to dispatch it unto you by an express; and so, sir, wishing you all happiness, I rest, &c. ORMOND. Dublin-Castle, May 21, 1646."

After the reading of these Letters,* the lords ordered them to be printed, and their Speaker to draw up an Answer to that from the Scots commissioners, which being done and read, was agreed to in these words:

"My lords and gentlemen; The lords having received your lordships Letter this morning, mentioning a Letter dated at Oxford, April 13, 1646, have commanded me to let you know, that no such Paper, nor any thing else, gives them occasion to question the fidelity and constancy of the Scots nation unto this cause. And they rest well satisfied with your lordships respects, and care to prevent all jealousies that may arise; and shall likewise employ their endeavours to preserve a mutual correspondency and a good agreement between the two kingdoms."

But the commons were much more brisk and active on the reading of the foregoing Letters; for this day the question being put, 'Whether it appears by this Letter from the king to the marquis of Ormond, that the king went into the Scots Army with a design to set division between the two kingdoms of England and Scotland, and to continue the war against the English parliament?' it passed in the affirmative.

Proceedings against Colonel Lilburne, for publishing a scandalous Pamphlet.] June 10. A Book was brought into the house of lords, which they adjudged to be a scandalous Pamphlet, written against the common law of England, and the practice thereof, by lieutenant-colonel John Lilburne; and he was ordered to appear before that house to answer the same.

June 11. Colonel Lilburne appeared at the bar of the house of lords, but, instead of answering any questions, he delivered a Paper, intitled, 'The Protestation, Plea, and Defence of lieut. 'col. John Lilburne, given to the lords at their 'bar, June 11, 1646; with his Appeal to his 'competent and proper judges the Commons 'of England, assembled in parliament.' Upon this the lords ordered, That Lilburne should stand committed to the prison of Newgate, during pleasure, for bringing into this house a scandalous and contemptuous Paper; and that the keeper of Newgate should keep him in safe custody.

The Commons require the Scots Commissioners to give in an Account of Arrears due to them.] This day the following Answer to the commissioners of Scotland, touching the state of the Accounts and Arrears of Money due to their armies and kingdom, was agreed to by the commons, who ordered it to be sent to the Scots committee residing in London, in a Letter from their Speaker, without asking the concurrence of the other house:

"We the commons of England, in parliament assembled, having declared to your lordships, that there is no farther use of continuing the Scots Army in the kingdom of England; and that we would provide 100,000*l.* for the Scots Army; 50,000*l.* thereof to be paid upon the delivery up of all the garrisons except Ber-

* These Letters are taken from the edition printed, by their lordships order, for John Wright, at the King's Head, in the Old Bailey, June 9, 1646.

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wick, which is to be ordered and disposed of according to the Treaty; and the other 50,000*l.* when they shall be in the kingdom of Scotland; we have, in pursuance thereof, appointed a committee for the providing of the said sum, which we shall take care to see paid accordingly: But whereas by a letter from the parliament of Scotland, of the 3rd Feb. 1646, according to the style of that kingdom, they do demand of the houses of parliament of England to make payment, before the 3rd of May next, of the sums of money duly owing by them to that kingdom, and their armies in England and Ireland, according to the Treaties between the two kingdoms, the account whereof will be given in by their commissioners: this house (although the parliament of England was not engaged to pay all the money due to Scotland by a day) to the end they might apply themselves to such courses as might give the parliament of Scotland all possible satisfaction, did, upon the 20th of the said Feb. desire of your lordships, that the Account might be delivered in to them accordingly, which they have ever since expected: but although the money, by the parliament of Scotland, was positively demanded by the 3rd of May last, yet from that 3rd of Feb. until the 20th of May last this house never heard any word concerning the said Account, although again desired: And whereas in the last letter your lordships press, that both houses would appoint commissioners to join with the commissioners of the parliament of Scotland, to clear and adjust the Accounts, and remove all differences concerning the same, as a way unto which they are obliged by the 9th Article of the Treaty between the kingdoms; this house conceiveth that 9th Article to refer only to matters of difference that shall happen to arise between the subjects of the two nations, which are to be determined by the mutual advice and consent of both kingdoms, or their committees; and cannot properly be applied to the matter of account, or at least cannot be made use of till an account be first made upon which differences do arise: for although the clearing and adjusting those accounts may possibly, in time, be thought necessary to be referred to committees of both nations, and that commissioners may be appointed, under the great seal, for the ends and purposes desired by our commissioners in October last; yet, until we may understand what is demanded of us by the kingdom of Scotland, both in relation to that kingdom and their armies, we hold it contrary to the course of all proceedings, to refer to committees what the house is not possessed of, or to go about to surcharge or discount until we see what will be demanded as due, and what acknowleded to have been received upon the State of your Account: wherefore we again most earnestly desire your lordships, that we may from you understand what the sums are that are demanded by the kingdom of Scotland as due, not only to their armies but to the kingdom, in all relations whatsoever; that we may take such speedy course for the satisfaction thereof, as your lordships and all the world may see the clearness and justness of our intentions towards you, and may remove all jealousies and misunderstandings between the two nations."

The King's Letter to the Parliament, desiring them to hasten the Propositions of Peace.] June 15. A Letter from the king was presented to the lords by their Speaker, the earl of Manchester, to whom it was addressed, with a command from his majesty to communicate it to both houses, and to the Scots commissioners:

"C. R. Newcastle, June 10, 1646."

"His majesty looking with grief of heart upon the sad sufferings of his people in his three kingdoms for some years past, and being affected with their distresses and unquiet condition, through the distractions about Religion, the keeping of forces on foot in the field and garrisons, the not satisfying of public debts, and the fears of the further effusion of blood by the continuance of an unnatural war in any of these kingdoms, or by rending and dividing these kingdoms, so happily united; and having sent a gracious Message unto both houses of parliament, and the commissioners of the parliament of Scotland, expressing the necessary causes of his coming from Oxford unto the Scots Army, (without any intention to make a division where he is in freedom and right capacity to settle a true Peace) and containing such offers as he conceived would have been accepted, with a general clause of complying with their desires: and being impatient of delays, and not acquainted with the particulars which may give contentment to them, his majesty doth earnestly desire that the Propositions of Peace so often promised, and so much expected, may be speedily sent unto him, that, upon consideration of them, he may apply himself to give such satisfaction as may be the foundation of a firm Peace. And for the better and more speedy attaining thereunto, his majesty doth further propound, That he may come to London with safety, freedom, and honour, where he resolves to comply with his houses of parliament in every thing which may be most for the good of his subjects, and perfect what remains for settling both kingdoms and people in an happy condition; being likewise most confident that they, according to their reiterated declarations and solemn protestations, will be zealous in the maintenance of his honour and just and lawful rights. And as his majesty desires the houses of parliament to disburthen the kingdom of all forces and garrisons in their power, except such as, before these unhappy times, have been maintained for the necessary defence and safety of this kingdom, so he is willing forthwith to disband all his forces and garrisons within the same, as the inclosed Order herewith sent will evidence: and if, upon these offers, his majesty shall have such satisfaction as he may be confident a firm Peace shall ensue thereon, his majesty will.

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then give order for his son, the prince's present return.

The King's Order for surrendering all his Garrisons.] A Letter from the king to the governors of his Garrisons was also read:

To our trusty and well-beloved sir Tho. Glemham, sir Tho. Tildesley, col. H. Washington, col. T. Blagge, governors of our cities and towns of Oxford, Litchfield, Worcester, and Wallingford, and all other commanders of any towns, castles, and forts in our kingdom of England.

"C. R. Newcastle, June 10, 1646.

"Having resolved to comply with the desires of our parliament in every thing which may be for the good of our subjects, and leave no means unessayed for removing all differences amongst us; therefore we have thought fit, the more to evidence the reality of our intentions of settling an happy and firm Peace, to require you, upon honourable terms, to quit those towns, castles, and forts intrusted to you by us, and to disband all the forces under your several commands."

The King's Letter, forbidding the Marquis of Ormond to treat any further with the Irish Rebels.] And another to the Marquis of Ormond:

"C. R. Right Trusty and Entirely-beloved Cousin and Counsellor, we greet you well: Having long, with much grief, looked upon the sad condition our kingdom of Ireland hath been in these divers years through the wicked and desperate Rebellion there, and the bloody effects that have ensued thereupon; for the settling whereof we would have wholly applied ourselves, if the difference between us and our subjects here had not diverted and withdrawn us; and not having been able (for that respect) to reduce them by force, we were necessitated for the present safety of our protestant subjects there, to give you power and authority to treat with them upon such pious, honourable, and safe grounds, as the good of that our kingdom did then require: but for many reasons, too long for a letter, we think fit to require you to proceed no further in Treaty with the Rebels, nor to engage us upon any conditions with them after sight hereof. And having formerly found such real proofs of your ready obedience to our commands, we doubt not of your care in this, wherein our service and the good of our protestant subjects in Ireland is so much concerned. Newcastle, June 11, 1646."

Intercepted Letter from the King to the Prince of Wales.] June 17. The earl of Warwick acquainted the lords, That the Commissioners of the Admiralty had received an account that one of their ships had intercepted a Letter from the king to the prince of Wales, in the Isle of Jersey. It was taken from a master of a vessel going to that place, which the lords made no scruple to open and read, though it was all written and directed with the king's own hand:

"For my Son the PRINCE.

"Charles; This is rather to tell you where I am, and that I am well, than, at this time, to direct you any thing; having written fully to your mother what I would have you do, whom I command you to obey in every thing, except in religion, concerning which I am confident she will never trouble you; and see that you go no where without her's or my particular directions. Let me hear often from you, and so God bless you. Your loving Father, C. R. Newcastle, June 2, 1646. P. S. If Jack Ashburnham comes where you are, command him to wait upon you as he was wont, until I shall send for him, if your mother and you be together; if not, he must wait on her."

Further Proceedings in the Case of Colonel Lilburne.] June 23. Colonel Lilburne was, by order, brought to the bar of the house of lords; and being directed to kneel there as a delinquent, he refused it. After which the houses proceeded to read a Pamphlet, said to be wrote by the said Lilburne, called, 'The Freeman's Freedom vindicated.' It was then ordered, "that col. John Lilburne, for his contempt of the house, and being questioned for two scandalous, seditious, and most dangerous Pamphlets, tending to raise sedition, and to subvert the fundamental laws and government of this kingdom, and also containing scandalous matter against this house, and some members of the same, shall be remanded back to Newgate; and not permitted to have pen, ink, nor paper, nor any access to him in any kind, but only his keeper, until this house shall further order." But the commons seemed as if they intended to take the colonel's part, and justify his Appeal to them as his proper judges; for some days after this, on the petition of his wife presented to that house, in behalf of her husband, then close prisoner in the 'infamous prison of Newgate,' with his Appeal and all his other Papers, after two divisions on the question, it was carried and resolved, "That the Petition and Papers of lieut. colonel John Lilburne should be committed to the committee formerly appointed to consider of the privileges of the commoners of England." But we do not meet with any report made upon it.

The Marquis of Argyle's Speech at the Meeting between the Scots Commissioners and Committees of both Houses.] This day, the Scots commissioners sent a Paper to the lords to inform them, That the marquis of Argyle was lately arrived from Scotland, and had somewhat to communicate to both houses by command; they desired, therefore, that a time and place might be appointed for that purpose. On which message the lords ordered, That a committee of 20 of their house, and a proportionable number of the commons, should meet the marquis, in the Painted-Chamber, on the 25th inst. and that such other lords as pleased might be present.

June 26. The earl of Manchester made a report to the lords of what passed the day before in the Painted Chamber; where he said

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the marquis of Argyle delivered himself to the committee of lords and commons in the following speech:*

"My lords and gentleman; Though I have had the honour to be named by the kingdom of Scotland in all the commissions which had relation to this kingdom since the beginning of this war, yet I had never the happiness to be with your lordships till now; wherein I reverence God's providence, that he hath brought me hither at such an opportunity, when I may boldly say, it is in the power of the two kingdoms, yea, I may say in your lordships power, to make us both happy, if you make good use of this occasion, by settling of Religion, and the Peace and Union of these Kingdoms. The work of reformation in these kingdoms is so great a work, as no age nor history can parallel since Christ's days; for no one nation had ever such a reformation set forth unto them, much less three kingdoms: so that this generation may truly think themselves happy if they can be instrumental in it. And as the work is very great, so it cannot be expected but it must have great and powerful enemies, not only flesh and blood, which hate to be reformed, but 'principalities and powers, the rulers 'of the darkness of this world, and spiritual 'wickednesses in high places.' As the dangers are great, we must look the better to our duties; and the best way to perform these, is to keep us by the rules which are to be found in our National Covenant, principally the Word of God, and, in its own place, the example of the best Reformed Churches; and, in our way, we must beware of some rocks, which are temptations, both upon the right and left hand, so that we must hold the middle path. Upon the one part we should take heed not to settle lawless liberty in Religion, whereby, instead of uniformity, we should set up a thousand heresies and schisms, which is directly contrary and destructive to our Covenant. Upon the other part we are to look that we persecute not piety and peaceable men, who cannot, through scruple of conscience, come up in all things to the common rule: but that they may have such a forbearance as may be according to the Word of God, may consist with the Covenant, and not be destructive to the rule itself, nor to the peace of the church and kingdom; wherein I will insist no further, either to wrong your lordships patience or judgments, who, I doubt not, will be very careful to do every thing according to our Covenant. As to the other point, concerning the Peace and Union of these Kingdoms; I know it is that which all profess they desire; I hope it is what all do aim at: sure I am, it is that which all men ought to study and endeavour. And I think it not amiss to remember your lordships of some former experiences, as an argument to move us to be wise for the future. If the kingdom of England, in the year of God 1640, then sitting in parliament, had concurred, as they were desired, against the kingdom of Scotland, no question we had been brought to many difficulties, which, blessed be God, was, by the wisdom of the honourable houses, prevented: so, likewise, when this kingdom was in difficulties, if the kingdom of Scotland had not willingly, yea chearfully sacrificed their peace to concur with this kingdom, your lordships all know what might have been the danger: therefore let us hold fast that union which is so happily established betwixt us; and let nothing make us again two, who are so many ways one; all of one language, in one island, all under one king, one in religion, yea one in Covenant; so that, in effect, we differ in nothing but in name, (as brethren do) which I wish were also removed, that we might be altogether one, if the two kingdoms shall think fit: for I dare say, not the greatest kingdom in the earth can prejudice both, so much as one of them may do the other.—I will forbear at this time to speak of the many Jealousies I hear are suggested, for as I do not love them, so I delight not to mention them: only one I cannot forbear to speak of, as if the kingdom of Scotland were too much affected with the king's interest. I will not deny but the kingdom of Scotland, by reason of the reign of many kings, his progenitors, over them, hath a natural affection to his majesty, whereby they wish he may be rather reformed than ruined: yet experience may tell their personal regard to him hath never made them forget that common rule, 'The Safety of the People is the supreme Law:' So likewise their love to monarchy makes them very desirous that it may be rather regulated than destroyed; which I hope I need not to mention further to your lordships, who, I trust, are of the same mind.—I know likewise there are many jealousies and unjust aspersions cast upon the Scots armies in England and Ireland: I can, if it were needful, presently produce heads of a Declaration intended by the Army in England for vindicating themselves from such injuries, and shewing the clearness of their resolutions and integrity, both in the cause and towards this kingdom; wherein their undertakings and coming in at such a season of the year, their hard sufferings and constant endeavours since, may be sufficient testimonies: therefore I am the more bold to desire your lordships, That so long as they stay in England, which I wish may be for a short time, they may be supplied with some monies, and their quarters enlarged; lest their lying in too narrow quarters make the burthen insupportable to that exhausted corner of the country where they now remain, and so beget outcries against them, when they are not enabled to discharge their quarters, as other armies within the kingdom.—As for the Army in Ireland; I have been an eye-witness to their sufferings, and so may speak of it likewise upon certain knowledge, that never men have suffered greater

* From the original edition, published by authority, at London, by Laurence Chapman, June 27, 1646.

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hardships, who might have been provided for; they have lived many times upon a few beans, measured out to them by number, and never had any other drink but water; and when they were in some better condition, they had but an Irish peck of rough oats for a whole week; and now, at their best condition, when they are quartered upon the country (which is able to entertain them only for a very short time) they have only an Irish peck of oatmeal, or a shilling in ten days both for meat and drink. Therefore, according to the many desires given in to the honourable houses for that end, I humbly intreat that your lordships will take care to provide for them, so long as it is thought fit that they remain in that kingdom.—For a renewed testimony of our earnest desires to comply with the honourable houses for settling the Peace of these kingdoms, so much longed for, we do return unto your lordships the Propositions of Peace (which we received on Tuesday last) with our consent thereunto, wishing they may be hasted to his majesty, who hath so often called for them. And I likewise offer to your lordships the copy of his majesty's Letter to my lord of Ormond, discharging him from any further meddling in any Treaty with the rebels in Ireland, (p. 487.) I hope in order to his majesty's further condescending to the settling of that Proposition concerning Ireland, and the rest of the Propositions now to be sent unto him.—Another Paper there is, which concerns the supplying of the Scots Armies in England and Ireland, and the perfecting of the accounts between the kingdoms, together with a letter from general-major Monroe, to the committee of estates of the kingdom of Scotland, concerning the State of Affairs in Ireland. All which, when your lordships have considered, I trust ye will take such course therein as may satisfy our just desires, may put an end to our present troubles, and settle these kingdoms in a happy peace."

Both Houses order a Maintenance for the Duke of York.] June 27. The lords were informed, by a letter from sir Tho. Fairfax, that the duke of York intended shortly to come to London, and desired that four coaches and six horses might be appointed to attend him; also that some course might be taken for money to maintain him, he being now in much want. The lords ordered this intelligence to be communicated to the commons, and that it should be referred to the committee of the revenue, to make some provision of money for his maintenance; which the commons agreed to.—The parliament, on the duke's arrival, had all the king's children, except the prince of Wales, in their custody. The princess Elizabeth and the duke of Gloucester had been at St. James's House ever since the king left it. And the youngest princess, Henrietta, of whom the queen was delivered at Exeter, was taken in that city at the last rendition of it. The countess of Dalkeith, whom the queen had left governess over this child when she went into France, had often applied to parliament for some allowance of Money for the support of it; or, at least, that she might be repaid the money she had laid out herself for that purpose. But though the lady's petitions on this score were always strongly recommended by the lords to the house of commons, no allowance was made; upon which the countess took an opportunity to slip away with her young charge, and conveyed it safe to its mother in France.

The Commons require the Princes Rupert and Maurice to leave the Kingdom.] June 29. About this time also the king's two nephews, Prince Rupert and Prince Maurice, who had served their uncle very gallantly and faithfully; and by the articles of the Surrender of Oxford, had leave given them, by sir Tho. Fairfax, to go where they pleased, went accordingly to Oatlands in Surrey, one of the king's palaces; which the House of Commons hearing of, they sent them word to depart from thence and out of the kingdom in ten days time. —On the 25th of this month the commons divided on the question, Whether the two Princes should have leave to reside at Oatlands? it was carried against them, 75 to 63. The next day the resolution for their Banishment was carried by 75 to 62. But, before their departure, they thought fit to address the following submissive Letter to the house of lords:

For the Speaker of the House of Peers, my Lord of MANCHESTER; Oatlands, June 28, 1646.

"My lord; Our earnest desire to your lordship is, that you will be pleased to represent to the house of lords, that, upon the clear apprehension that we had of the sense of the articles concerning the Surrender of Oxford, and our pass from the general, we departed to Oatlands, as in our way, and for some time a convenient distance for our address to the parliament; that as soon as we had received the Votes of the house of commons, declaring that, by our coming hither, we had broken the articles, and commanding us, within ten days, to depart to the sea side, and forthwith to depart the kingdom, we did instantly resolve to move from this place, as soon as in any possibility we could, and to apply ourselves to give them satisfaction concerning our coming hither. We beseech your lordship to make it known to the lords in parliament, that, if we could have conceived it would have given any offence, we would not have come hither; and now, upon knowledge that it hath, we are removed: and though we do not know whether your lordships have taken into consideration our coming hither, yet have we ventured to offer you and their lordships this trouble, for prevention of any apprehensions they may have of any thought in us to do any thing that we could conceive might offend the houses of parliament, to hinder ourselves from the happiness of receiving benefit or favour from them, which we value too much to lose; and which we will not fail to keep by our utmost and best endea-

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vours. My lord, we are your lordship's faithful friends to serve you, RUPERT. MAURICE."

We do not find that the lords took any notice of this Letter; all we meet with about them is, That, on the humble request of their brother the Prince Elector, who was then at London, and in the parliament's good graces, he was permitted to see them before their departure: a few days after this they both embarked at Dover, as did also the Prince of Wales from the Isle of Jersey, for France.

Order of Parliament against Papists, Irishmen, and Oxford Cavaliers.] July 2. An Order of both houses was made for all Papists and Irish to be put out of the lines of communication, (then drawn round the city and suburbs) and out of all corporations. That those also who came from Oxford, on the rendition of that place, or any of the king's garrisons, should be in their lodgings by nine o'clock; to make them shew their passes and disarm them; and that they engage never to bear arms against the parliament. This Order to be published by beat of drum and sound of trumpet.*

The Propositions of Peace sent to the King.] July 6. After many months canvassing the Propositions to be sent to the king for a safe and well-grounded Peace, and after many altercations, messages, conferences, divisions in and between the two houses, and consultations with the Scots commissioners about them, they were at last agreed to by all, and brought to a conclusion. They were read this day for the last time, and the lords ordered that they should immediately be sent to the king, and deputed the earls of Pembroke and Suffolk from their house, joined with a proportionable number of the commons, to carry them. A copy of which Propositions will fall in the sequel; for they were not sent away for some days.

Proceedings against Col. Lilburne before the House of Lords, for aspersing the Earl of Manchester, &c.] July 10. The lords having given orders for the prosecution of colonel John Lilburne in their house, and that the attorney-general and the king's counsel should prepare and exhibit Articles against him; this day the Charge was brought in and read as follows:

ARTICLES exhibited before the lords in parliament assembled, by sir Nathaniel Finch, knt. one of his majesty's serjeants at Law, against lieut. colonel John Lilburne, for High Crimes and Misdemeanors done and committed by him.

"Whereas the right hon. Edward earl of Manchester, by the space of divers years last past, hath been and yet is one of the peers of this realm; and whereas the said earl was, by ordinance of parliament, appointed general of divers forces raised by the parliament, the said John Lilburne, intending to scandalize and dishonour the said earl, and to raise discord between him and other subjects of this realm, hath, in a certain Book hereunto annexed, and by him contrived, and caused to be printed and published, intitled 'The just Man's 'Justification; or a Letter by way of Plea in 'bar,' falsely and scandalously affirmed and published certain passages concerning the said earl of Manchester, and his demeanors in his said office and employment; viz. I. Touching the complaint by the said Lilburne alledged to be made by him and others to the said earl, as follows, at page 2. 'I complained to the earl 'of Manchester against colonel King, being 'both his general and mine, and at the same 'time of divers gentlemen of the committee of 'Lincoln, as Mr. Archer, &c. and having Arti-'cles of a very high nature against him, pushed 'my lord to a trial of him at a council of war; 'and at the very same time the mayor, alder-'men, and town clerk of Boston came to Lin-'coln to my lord, with Articles of a superlative 'nature against the said colonel King their 'governor, but could not get my lord to do 'them justice at a council of war, contrary to 'all our expectations, as of right we ought to 'have had; which at present saved his head 'upon his shoulders.' And, in page 8 and 9 of that Book, did affirm these words, viz. 'We could not at all prevail, the reason of 'which we are not able to render, unless it 'were that King's two chaplains, Lee and 'Garter, prevailed with the earl's two chaplains, 'Ash and Good, to cast a clergy mist over 'their lord's eyes, that he should not be able 'to see any deformity in colonel King.' II. The said Lilburne, within 3 months last past, in a certain Book by him contrived, and caused to be printed and published, hereunto annexed, intitled 'The Freeman's Freedom vindicated; 'or, A true Relation of the Cause and Manner 'of Lieut. Colonel John Lilburne's present 'Imprisonment in Newgate, being thereunto 'arbitrarily and illegally committed by the 'house of peers, June 11, 1646, for his deli-'vering in at their open bar, under his hand 'and seal, his protestation against their en-'croaching upon the common liberties of all 'the commons of England; by endeavouring 'to try him, a commoner of England, in a cri-'minal cause, contrary to the express tenor 'and form of the 29th chapter of the Great 'Charter of England; and for making his legal 'and just Appeal to his competent, proper, 'and legal tryers and judges, the commons of 'England, in parliament assembled,' did falsely and scandalously, in the 8th page of that book, publish and affirm, concerning the said earl of Manchester, these false and scandalous words, 'I clearly perceive the hand of Joab to be in 'this, namely, my old back-friend the earl of

* On this Order, Mr. Whitlocke makes this reflection: "Thus we may see, that, even after almost a conquest, yet they apprehended no safety; such are the issues and miseries of a Civil War, that the victors are full of fears from those they have subdued. No quiet, no security. Oh! let our prayers be to God never to have such calamitous times again."

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'Manchester, the fountain, as I conceive, of 'all my present troubles; who would have 'hanged me for taking a Castle from the cava- 'liers in Yorkshire, and is so closely glued in 'interest to that party, that he protected from 'justice colonel King, one of his own officers, 'for his good Service in traiterously delivering 'or betraying Crowland to the Cavaliers; and 'never called, nor that I could hear desired to 'call, to account his officer or officers that 'basely, cowardly, and treacherously betrayed 'and delivered Lincoln up to the enemy, with- 'out striking one stroke, or staying till so much 'as a troop of horse or a trumpeter came to 'demand it. His lordship's head, it seems, 'had stood too long upon his shoulders, that 'makes him he cannot be quiet till lieut. 'General Cromwell's charge against him, fully 'proved in the house of commons, be revived, 'which is of as high a nature, I believe, as 'ever any charge given in there; the epi- 'tome of which I have by me, and his lordship 'may live to see it shortly in print by my means.' —And the said Lilburne, in the Book and page last mentioned, in scandal and dishonour of Henry earl of Stamford, a peer of this kingdom, and a late commander of forces of the parliament, maketh this scandalous expression, viz. 'And for my lord of Stamford, at present 'I desire him but to remember one Article 'made at the delivery of Exeter, which it may 'be, in time, will cool his furious endeavours 'to enslave the free people of England.' III. Whereas the said Lilburne, upon the 11th of June last past, by virtue of the Order of the peers assembled in this present parliament, was brought to their bar, to answer concerning the said Book in the said first Article mentioned; the said Lilburne intending, falsely and maliciously, to scandalize and dishonour the peers assembled in parliament, and their just rights and authorities, did then and there, in contempt of the said house of peers, at the open bar, the peers then sitting, openly deliver a certain Paper hereunto annexed, under his hand and seal intitled 'The Protestation, Plea, 'and defence of lieutenant-colonel John Lil- 'burne, given to the Lords at their Bar, the '11th June, 1646, with his Appeal to his com- 'petent, proper, and legal tryers and judges, 'the commons of England in parliament as- 'sembled,' which Paper is hereunto annexed, and since caused the same to be printed and published; in which Paper, amongst many other scandals therein contained, he published and affirmed, concerning the lords in parliament, these words following, viz. 'Therefore, 'my lords, you being, as you are called, peers, 'merely made by prerogative, and never in- 'trusted or impowered by the commons of 'England, &c.' And in another place thereof, concerning the lords and their proceedings in parliament, did protest and publish these words following, 'I do here, at your open bar, pro- 'test against all your present proceedings with 'me, in this pretended criminal cause, as un- 'just, and against the tenor and form of the 'Great Charter, which all you have sworn 'inviolably to observe, and caused the com- 'mons of England to do the same; and there- 'fore my lords, I do hereby declare, and am 'resolved, as in duty bound to God, myself, 'country, and posterity, to maintain my legal 'liberties to the last drop of my blood, against 'all opposers whatsoever; having so often in 'the field adventured my life therefore; and 'do from you, and your bar, as incroachers 'and usurping judges, appeal to the bar and 'tribunal of my competent, proper, and legal 'tryers and judges, the commons of England 'assembled in parliament.' And, in pursuance of his said malicious and illegal practice, did afterwards contrive and publish a scandalous and libellous Letter, hereunto likewise annexed, directed to Mr. Walloston, keeper of Newgate, or his deputy; wherein, among other things, he hath caused to be inserted and published these words concerning the peers in parliament, viz. 'Their lordships sitting by virtue 'of their prerogative patents, and not by elec- 'tion or consent of the people, have, as Magna 'Charta, and other good laws of the land tell 'me, nothing to do to try me, or any commoner 'whatsoever, in any criminal cause, either for 'life, limb, liberty, or estate: but contrary 'hereunto, as encroachers and usurpers upon 'my freedom and liberty, they have lately and 'illegally endeavoured to try me, a commoner, 'at their bar; for which I, under my hand and 'seal, protested to their faces against them, as 'violent and illegal encroachers upon the rights 'and liberties of me and all the commons of 'England, a copy of which I herewith in print 'send you: and at their bar I openly appealed 'to my competent, proper, and legal tryers and 'judges, the commons of England assembled 'in parliament; for which their lordships did 'illegally, arbitarily, and tyrannically, commit 'me to prison into your custody;' which Protestation and Papers, and matters therein contained, do falsely, scandalously, and maliciously charge the peers in parliament with tyranny, usurpation, perjury, injustice, and breach of the great trust in them reposed; and are an high breach of the privilege of parliament, and are high offences against the laws and statutes of this kingdom; and do tend to the great scandal of the peers, and the authority with which they are invested, and stir up difference between the said peers and others of the subjects of this realm. NATHANIEL FINCH."

A printed Paper was also brought into the house, intitled

The Sum of the CHARGE given in by Lieutenant General Cromwell against the Earl of Manchester. *

"That the earl of Manchester hath been always indisposed and backwards to engage-

* The earl of Manchester's Vindication of himself against this Charge, as presented to the house of lords by way of Narrative, in Nov. 1644, is printed in Rushworth, vol. v. p. 733.

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ments, and against the ending of the war by the sword, and for such a peace to which a victory would be a disadvantage; and hath declared this by principles express to that purpose, and a continued series of carriage and actions answerable; and since the taking of York (as if the parliament had then advantage enough) he hath declined whatever tended to further advantage upon the enemy; neglected and studiously shifted off all opportunities to that purpose, as if he thought the king too low and the parliament too high; especially at Dennington-Castle, where he had drawn the army into and detained them in such a posture as to give the enemy fresh advantages, and this before his conjunction with the other armies, by his own absolute will, against or without his council of war, against many commands from the committee of both kingdoms, and with contempt and vilifying of those commands; and since the conjunction of the armies, sometimes against councils of war, and sometimes persuading and deluding the council to neglect one opportunity with pretence of another, and that again of a third; and at last, when none other pretence would serve, by persuading them that it was not fit to fight at all. That after this lieut. general Cromwell expressed a larger account, yet nothing but truth, and what was sufficiently proved at a select committee of the house of commons, whereof Mr. Lisle had the chair; which charge, with proofs thereupon, was reported to the house and there debated; and a home vote thereupon passed above a year ago, before the house was recruited with new members; whereupon a potent Northern knight (Sir Philip Stapylton) one of Manchester's special friends, made a very earnest motion, That lieut general Cromwell might, with his horse, be sent immediately to relieve Taunton, as you may read in the 35th page of 'England's Birth-Right;' by means of which the charge hath lain dormant ever since, although it may be spoken upon very good grounds, that it is a charge of as high a nature as ever was given into that house; and therefore it is hoped, either the lieut. general, or some of the new members, will discharge a good conscience by pressing the reviving of it, that so treachery may receive its due desert, and the kingdom have justice upon its enemies."

The lords having debated some time on this affair, ordered, 1. "That all the beforementioned Papers should be burnt by the Hangman the next day at the New Palace in Westminster, and at the Old Exchange in London; and that the sheriffs of London and Middlesex do protect the hangman in the execution of this Order to prevent any affronts being offered him.* 2. That col. Lilburne be brought to the house the next morning in safe custody by the sheriffs. 3. That the gentleman usher do search in Westminster for all printed copies of the Papers read this day, intitled, 'The Sum of the Charge given in by 'lieut. colonel Cromwell against the earl of 'Manchester,' and bring them and the Letters before this house presently.

July 11. Colonel Lilburne was brought again to the bar of the house of lords to hear his Charge read, and make Answer to it. The whole proceeding on which we give from their Journals, as follows: "Being commanded by the house to kneel as a delinquent, he refused so to do, saying, 'He would not.' Then the lords commanding his Charge to be read to him, he said, 'He would not hear, he having 'appealed to the house of commons from their 'house, to which he would stand as long as he 'had life:' and, upon reading of the Charge, he stopped his ears with his fingers, and would not hear it read; whereupon it was moved by Mr. Serjeant Finch, one of the king's counsel, That this being as great an affront as could be offered to so great a court as this is, he might be made to hear his charge read; and the

* "The caution of the lords to the sheriffs," say the writers of the Parliamentary or Constitutional History of England, "to take care that the Hangman should not be molested in doing his office, was very necessary; for this political enthusiast, young as he was, had gained a high esteem with the populace, who were enraged at what they called his hard usage; and many papers, and some pamphlets, were printed and dispersed about the city to incite an insurrection in his favour. One of these is in our collection, intitled, 'A Re-'monstrance of many thousand citizens, and 'other freeborn people of England, to their 'own house of commons, occasioned through 'the illegal and barbarous imprisonment of 'that famous and worthy sufferer for his coun-'try's freedom, lieut. colonel John Lilburne: 'wherein their just demands, in behalf of them-'selves and the whole kingdom, concerning 'their public safety, peace, and freedom, is 'expressed; calling those their commissioners 'in parliament to an account, how they (since 'the beginning of their session to this present) 'have discharged their duties to the univer-'sality of the People, their sovereign lord, 'from whom their power and strength is de-'rived, and by whom, ad bene placitum, it is 'continued.' In the frontispiece is a print of our hero, looking through the bars of a prison: over his head is inscribed, 'The Liberty of 'the Freeborn Englishman, conferred upon 'him by the house of lords, June 11, 1646,' with his coat of arms annexed: and underneath, these lines:

Gaze not upon this shadow that is vain,
But rather raise thy thoughts a higher strain:
To God, I mean, who set this young man free,*
And, in like straits can eke deliver thee.
Yea, though the lords have him in bonds again,
The Lord of Lords will his just cause maintain."

* Colonel Lilburne was first imprisoned by a sentence of the Court of Star-Chamber, in the year 1637, being then only 19 years of age; but was discharged by parliament in 1640.

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court upon this commanded him to withdraw. Then, after debate, it was ordered he should be called in and admonished; and told that, by stopping his ears and ill language and deportment, he hath deprived himself of what favour he might have had in this house; wherefore the lords commanded him to hear his Charge read without stopping his ears: he answered, 'He had appealed from this house 'their lordships not being his competent judges, 'to the house of commons, which he will stand 'to as long as he hath any blood in his body.' Upon this the house commanded the Charge to be read to him; but he said he would not hear it read, and still stopped his ears whilst it was read. When it was read, the Speaker asked him what he said to his Charge? He answered, 'He heard nothing of it; he had 'nothing to do with it; but would stand to his 'protestation; and having appealed from their 'lordships, and protested against them as un-'righteous judges, to those judges who are to 'judge both him and their lordships, the house 'of commons assembled in parliament, he did 'render up his body to their lordships fury.' Hereupon he was again commanded to withdraw; and the lords, upon consideration of the whole matter of the Charge, taking his refusal to answer, pro confesso; and also considering the high contempt of the honour and dignity of the house, shewed by his words and speeches this day at their bar, which were contained in his Charge, did adjudge, "1. That lieut. col. John Lilburne, for his high contempt to the honour of this house, be fined 4000*l.* to the king. 2. That he shall be imprisoned in the Tower of London during the space of 7 years. 3. That he shall be incapable to bear any office or place, military or civil, in church or commonwealth, during his life." It was also ordered, That the Pamphlet, intitled, 'The 'just Man's Justification; or, a Letter by way 'of Plea in Bar;' and the Pamphlet, intitled, 'The Freeman's Freedom vindicated,' mentioned in the Charge against lieut. colonel John Lilburne, shall be burnt by the hands of the common hangman, in the presence of the sheriffs or their officers, on Monday morning next at ten of the clock, at the Old Exchange in London, and at the New Palace Yard in Westminster."

The Propositions of Peace from the Parliament, presented to the King at Newcastle.] Next was read, a copy of the Propositions for Peace, which were now ordered to be sent away to the king with all convenient speed, and to be printed and published:

The PROPOSITIONS of the Lords and Commons assembled in Parliament, for a safe and well-grounded Peace.*

"May it please your majesty; We the lords and commons, assembled in the parliament of England, in the name, and on the behalf of the kingdoms of England and Ireland, and the commissioners of the parliament of Scotland, in the name, and on the behalf of the kingdom of Scotland, do humbly present unto your majesty the humble desires and Propositions for a safe and well-grounded Peace, agreed upon by the parliaments of both kingdoms respectively, unto which we do pray your majesty's assent; and that they, and all such bills as shall be tendered to your majesty in pursuance of them, or any of them, may be established and enacted for statutes and acts of parliament, by your majesty's royal assent in the parliaments of both kingdoms respectively.—Whereas both houses of the parliament of England have been necessitated to undertake a war in their just and lawful defence; and afterwards both kingdoms of England and Scotland, joined in Solemn League and Covenant, were engaged to prosecute the same: I. That by act of parliament in each kingdom respectively, all Oaths, Declarations, and Proclamations heretofore had, or hereafter to be had, against both or either of the houses of parliament of England, the parliament of the kingdom of Scotland, and the late Convention of Estates in Scotland, or committees flowing from the parliament or convention in Scotland, or their Ordinances and Proceedings; or against any for adhering unto them; or for doing or executing any office, place, or charge, by any authority derived from them; and all judgments, indictments, outlawries, attainders, and inquisitions, in any the said causes; and all grants thereupon made or had, or to be made or had, be declared null, suppressed and forbidden: and that this be publicly intimated in all parish churches within his majesty's dominions, and all other places needful.—II. That his majesty, according to the laudable example of his royal father, of happy memory, may be pleased to swear and sign the late Solemn League and Covenant; and that an act of parliament be passed in both kingdoms respectively, for enjoining the taking thereof by all the subjects of the three kingdoms; and the Ordinances concerning the manner of taking the same in both kingdoms, be confirmed by acts of parliament respectively, with such penalties, as, by mutual advice of both kingdoms, shall be agreed upon.—III. That a Bill be passed for the utter abolishing and taking away of all archbishops, bishops, their chancellors and commissaries, deans and sub-deans, deans and chapters, arch-deacons, canons, and prebendaries; and all chanters, chancellors, treasurers, sub-treasurers, succentors, and sacrists; and all vicars choral and choristers, old vicars and new vicars, of any cathedral or collegiate church, and all other their under officers, out of the church of England, and dominion of Wales; and out of the church of Ireland, with such alterations concerning the estates of prelates, as shall agree with the Articles of the late Treaty, of the date at Edinburgh, Nov. 29, 1643, and joint Declaration of both kingdoms.—IV. That the Ordinances concerning the

* From the original edition, printed for John Wright, at the King's Head in the Old Bailey, July 17, 1646.

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calling and sitting of the Assembly of Divines, be confirmed by act of parliament.—V. That reformation of Religion, according to the Covenant, be settled by act of parliament, in such manner as both houses have agreed, or shall agree upon, after consultation had with the Assembly of Divines,—VI. For as much as both kingdoms are mutually obliged by the same Covenant, to endeavour the nearest conjunction and uniformity in matters of Religion, That such unity and uniformity in religion according to the Covenant, as, after consultation had with the Divines of both kingdoms now assembled, is or shall be jointly agreed upon by both houses of parliament of England, and by the church and kingdom of Scotland, be confirmed by acts of parliament of both kingdoms respectively,—VII. That for the more effectual disabling Jesuits, Priests, Papists, and Popish Recusants from disturbing the state, and eluding the laws; and for the better discovering, and speedy conviction of recusants, an Oath be established by act of parliament, to be administered to them; wherein they shall abjure and renounce the Pope's supremacy, the doctrine of transubstantiation, purgatory, worshipping the Consecrated host, crucifixes and images, and all other popish superstitions and errors; and refusing the said Oath, being tendered in such manner as shall be appointed by the said act, to be a sufficient conviction of recusancy.—VIII. That an act of parliament be passed for Education of the children of Papists by protestants, in the protestant religion.—IX. That an act be passed for the true levy of the penalties against them; which penalties to be levied and disposed in such manner as both houses shall agree on; wherein to be provided that his majesty shall have no loss.—X. That an act be passed in parliament, whereby the practices of Papists against the state may be prevented, and the laws against them duly executed, and a stricter course taken to prevent the saying or hearing of Mass in the court, or any other part of this kingdom.—XI. The like for the kingdom of Scotland, concerning the 4 last preceding Propositions, in such manner as the Estates of the parliament there shall think fit.—XII. That the king do give his royal assent to an act for the due Observation of the Lord's day. To the bill for the Suppression of Innovations in Churches and Chapels, in and about the worship of God, &c. For the better advancement of the preaching of God's Holy Word in all parts of this kingdom: To the bill against the enjoying of Pluralities of Benefices by spiritual persons, and non-residency: To an act to be framed and agreed upon by both houses of parliament for the reforming and regulating of both Universities, of the Colleges of Westminster, Winchester, and Eaton. And to such act or acts for raising of Monies, for the payment and satisfying of the Public Debts and damages of the kingdom and other public uses, as shall hereafter be agreed on by both houses of parl.; and that if the king do not give his assent thereunto, then it being done by both houses of parliament, the same shall be as valid, to all intents and purposes, as if the royal assent had been given thereunto. The like for the kingdom of Scotland. And that his majesty give assurance of his consenting, in the parliament of Scotland, to an act, acknowledging and ratifying the acts of the Convention of Estates of Scotland, called by the counsel and conservers of the peace, and the commissioners for the common burthens, and assembled the 22d day of June, 1643, and several times continued since, and of the parliament of that kingdom, since convened.—XIII. 'That the lords and commons in the parliament of England assembled, shall, during the space of 20 years, from the 1st of July, 1646, arm, train, and discipline, or cause to be armed, trained, and disciplined, all the forces of the kingdoms of England and Ireland, and dominion of Wales, the Isles of Guernsey and Jersey, and the town of Berwick upon Tweed, already raised, both for sea and land service; and shall, from time to time, during the said space of 20 years, raise, levy, arm, train, and discipline, or cause to be raised, levied, armed, trained, and disciplined, any other forces, for land and sea service, in the kingdoms, dominions, and places aforesaid, as in their judgments they shall, from time to time, during the said space of 20 years, think fit and appoint; and that neither the king, his heirs or successors, nor any other but such as shall act by the authority or approbation of the said lords and commons, shall, during the said space of 20 years, exercise any of the powers aforesaid. And the like for the kingdom of Scotland, if the Estates of the parliament there shall think fit. That Monies be raised and levied for the maintenance and use of the said forces for land service, and of the navy and forces for sea service, in such sort, and by such ways and means, as the said lords and commons shall, from time to time, during the said space of 20 years, think fit and appoint, and not otherwise; that all the said forces, both for land and sea service, so raised or levied, or to be raised or levied, and also the admiralty and navy, shall, from time to time, during the said space of 20 years, be employed, managed, ordered, and disposed by the said lords and commons in such sort, and by such ways and means, as they shall think fit and appoint, and not otherwise: and the said lords and commons, during the said space of 20 years, shall have power, 1. 'To suppress all forces raised, or to be raised, without authority and consent of the said lords and commons, to the disturbance of the public peace of the kingdoms of England, and Ireland, and dominion of Wales, the Isles of Guernsey and Jersey, and the town of Berwick upon Tweed, or any of them. 2. To suppress any foreign forces who shall invade, or endeavour to invade, the kingdoms of England and Ireland, dominion of Wales, the Isles of Guernsey and Jersey, and the town of Berwick upon Tweed, or any of them. 3. To conjoin such forces of

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the kingdom of England with the forces of the kingdom of Scotland, as the said lords and commons shall, from time to time during the said space of 20 years, judge fit and necessary: to resist all foreign invasions, and to suppress any forces raised, or to be raised, against, or within, either of the said kingdoms, to the disturbance of the public peace of the said kingdoms, or any of them, by any authority under the great seal, or other warrant whatsoever, without consent of the said lords and commons of the parliament of England, and the parliament or the estates of the parliament of Scotland respectively: and that no forces of either kingdom shall go into, or continue in, the other kingdom, without the advice and desire of the said lords and commons of the parliament of England, and the parliament of the kingdom of Scotland, or such, as shall be by them appointed for that purpose: and that after the expiration of the said 20 years neither the king, his heirs or successors, or any person or persons, by colour or pretence of any commission, power, deputation, or authority to be derived from the king, his heirs or successors, or any of them, shall raise, arm, train, discipline, employ, order, manage, disband, or dispose any of the forces, by sea or land, of the kingdoms of England and Ireland, the dominion of Wales, the Isles of Guernsey and Jersey, and the town of Berwick upon Tweed; nor exercise any of the said powers or authorities, in the precedent Articles, mentioned and expressed to be, during the said space of 20 years, in the said lords and commons; nor do any act or thing concerning the execution of the said powers or authorities, or any of them, without the consent of the said lords and commons first had and obtained: that after the expiration of the said 20 years, in all cases wherein the lords and commons shall declare the safety of the kingdom to be concerned, and shall thereupon pass any bill or bills for the raising, arming, training, disciplining, employing, managing, ordering, or disposing of the forces by sea or land, of the kingdoms of England and Ireland, the dominion of Wales, Isles of Guernsey and Jersey, and the town of Berwick upon Tweed, or of any part of the said forces; or concerning the admiralty and navy; or concerning the levying of monies for the raising, maintenance, or use of the said forces for land service; or of the navy, and forces for sea service, or of any part of them; and if that the royal assent to such bill or bills shall not be given in the house of peers, within such time after the passing thereof by both houses of parliament, as the said houses shall judge fit and convenient, that then such bill or bills, so passed by the said lords and commons as aforesaid, and to which the royal assent shall not be given as is herein before expressed, shall, nevertheless, after declaration of the said lords and commons made in that behalf, have the force and strength of an act or acts of parliament; and shall be as valid, to all intents and purposes, as if the royal assent had been given thereunto. Provided, that nothing herein before contained shall extend to the taking away of the ordinary legal power of sheriffs, justices of peace, mayors, bailiffs, coroners, constables, headboroughs or other officers of justice, not being military officers, concerning the administration of justice; so as neither the said sheriffs, justices of the peace, mayors, bailiffs, coroners, constables, headboroughs, and other officers, nor any of them, do levy, conduct, employ, or command any forces whatsoever, by colour or pretence of any commission of array, or extraordinary command from his majesty, his heirs or successors, without the consent of the said lords and commons. And if any persons shall be gathered and assembled together in warlike manner, or otherwise, to the number of 30 persons, and shall not forthwith disband themselves, being required thereto by the said lords and commons, or command from them, or any by them especially authorized for that purpose, then such person and persons not so disbanding themselves, shall be guilty and incur the pains of high treason, being first declared guilty of such offence by the said lords and commons; any commission under the great seal, or other warrant, to the contrary notwithstanding. And he or they that shall offend herein, to be incapable of any pardon from his majesty, his heirs or successors; and their estates shall be disposed as the said lords and commons shall think fit, and not otherwise. Provided, that the city of London shall have and enjoy all their rights, liberties and franchises, customs and usages, in the raising and employing the forces of that city for the defence thereof, in as full and ample manner, to all intents and purposes, as they have, or might have, used or enjoyed the same at any time before the making the said act or proposition; to the end that city may be fully assured it is not the intention of the parliament to take from them any privileges or immunities in raising or disposing of their forces, which they have, or might have, used or enjoyed heretofore. The like for the kingdom of Scotland, if the Estates of the parliament there shall think fit.—XIV. That, by act of parliament, all peers made since the day that Edward lord Littleton, then lord-keeper of the Great Seal, deserted the parliament, and that the said Great Seal was surreptitiously conveyed away from the parliament, (being the 21st of May, 1642,) and who shall hereafter be made, shall not sit or vote in the parliament of England, without consent of both houses of parliament: and that all honour and title conferred on any, without consent of both houses of parliament, since the 20th of May, 1642, (being the day that both houses declared, That the king, seduced by evil counsel, intended to raise war against the parliament) be declared null and void. The like for the kingdom of Scotland; those being excepted whose patents were passed the Great Seal before the 4th of June, 1644.—XV. That an act be passed in the parliaments of both kingdoms respec-

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tively, for confirmation of the Treaties passed betwixt the two kingdoms, viz. the Large Treaty, the late Treaty for the coming of the Scots Army into England, and the settling of the Garrison of Berwick, of the 29th Nov. 1643, and the Treaty concerning Ireland, of the 6th Aug. 1642, for the bringing of 10,000 Scots into the province of Ulster, in Ireland, with all other Ordinances and proceedings passed betwixt the two kingdoms, and whereunto they are obliged by the aforesaid Treaties. That Algernon earl of Northumberland, John earl of Rutland, Philip earl of Pembroke and Montgomery, Robert earl of Essex, Theophilus earl of Lincoln, James earl of Suffolk, Robert earl of Warwick, Edward earl of Manchester, Henry earl of Stamford, Francis lord Dacres, Philip lord Wharton, Francis lord Willoughby, Dudley lord North, John lord Hunsdon, Wm. lord Grey, Edw. lord Howard of Escrick, Thomas lord Bruce, Ferdinando, lord Fairfax, Mr. Nath. Fiennes, sir Wm. Armyne, sir Philip Stapylton, sir H. Vane, sen. Mr. Wm. Pierepoint, sir Edw. Ayscough, sir Wm. Strickland, sir Arthur Heslerig, sir John Fenwick, sir Wm. Brereton, sir Tho. Widdrington, Mr. John Toll, Mr. Gilbert Millington, sir Wm. Constable, sir John Wray, sir H. Vane, jun. Mr. Henry Darley, Oliver St. John, esq. his majesty's solicitor-general, Mr. Denzill Hollis, Mr. Alex. Rigby, Mr. Cornelius Holland, Mr. Samuel Vassal, Mr. Peregrine Pelham, John Glynne, esq. recorder of London, Mr. Henry Matren, Mr. Alderman Hoyle, Mr. John Blakiston, Mr. Serj. Wilde, Mr. Rd. Barwis, sir Anthony Irby, Mr. Ashurst, Mr. Bellingham, and Mr. Tolson, members of both houses of the parliament of England, shall be the commissioners for the kingdom of England, for conservation of the Peace between the two kingdoms, to act according to the powers in that behalf expressed in the Articles of the Large Treaty, and not otherwise.—That his majesty give his assent to what the two kingdoms shall agree upon in prosecution of the Articles of the Large Treaty, which are not yet finished.—XVI. That an act be passed in the parliaments of both kingdoms respectively, for establishing the Joint Declaration of both kingdoms, bearing date the 30th of Jan. 1643, in England, and 1644, in Scotland, with the Qualifications ensuing:

First Qualification.—That the persons who shall expect no pardon be only these following, Rupert and Maurice, count Palatines of the Rhine; James earl of Derby, John earl of Bristol, Wm. earl of Newcastle, Francis lord Cottington, George lord Digby, Matthew Wren bishop of Ely, sir Rob. Heath, knt. Dr. Bramhall bishop of Derry, sir Wm. Widdrington, col. George Goring, Henry Jermyn, esq. sir Ralph Hopton, sir John Byron, sir Francis Doddington, sir John Strangeways, Mr. Endymion Porter, sir George Radcliffe, Sir Marmaduke Langdale, Henry Vaughan, esq. (now called sir Henry Vaughan) sir Francis Windebanke, sir Rd. Grenville, Mr. Edw. Hyde, (now called sir Edw Hyde) sir John Marley, sir Nicholas Cole, sir Tho. Riddell, jun. sir John Colepeper; Mr. Rd. Lloyd, (now called sir Rd. Lloyd) Mr. David Jenkins, sir George Strode, George Carteret, esq. (now called sir George Carteret) sir Charles Dallison, knt. Rd. Lane, esq. (now called sir Rd. Lane) sir Edw. Nicholas, John Ashburnham, esq. sir Edw. Herbert, knt. his majesty's attorney-general; earl of Traquair, lord Harris, lord Rae, George Gordon, sometime marquis of Huntley, James Graham, sometime earl of Montrose, Robert Maxwell, late earl of Nithesdale, Robert Dalzell, sometime earl of Carnwath, James Gordon, sometime visc. Aboyne, Lodowick Lindsey, sometime earl of Crawford, James Ogilvey, sometime earl of Airley, James Ogilvey, sometime lord Ogilvey, Patrick Ruthen, sometime earl of Forth, James King, sometime lord Itham, Alester Macdonald, Irwin younger of Drum, Gordon younger of Gight, Lesley of Auchentoul, colonel John Cochran, Graham of Gorthie, Mr. John Maxwell, sometime pretended bishop of Ross. And all such others as, being processed by the estates for treason, shall be condemned before the act of oblivion be passed.

Second Qualification.—All Papists and Popish Recusants who have been, now are, or shall be, actually in arms, or voluntarily assisting against the parliaments or estates of either kingdom; and, by name, the marquis of Winton, the earl of Worcester, Edw. lord Herbert of Ragland, son to the earl of Worcester, lord Brudenell, Caryll Molineux, esq. lord Arundell of Wardour, sir Francis Howard, sir John Wintour, sir Ch. Smith, sir John Preston, sir Bazil Brooke, James lord Audley earl of Castlehaven in the kingdom of Ireland, Wm. Sheldon of Beely, esq. and sir Henry Beddingfield.

Third Qualification.—All persons who have had any Hand in the plotting, designing, or assisting the Rebellion of Ireland, except such persons who, having only assisted the said rebellion, have rendered themselves, or come in to the Parliament of England.

Fourth Qualification.—That Humphrey Bennet, Esq. sir Edw. Ford, sir John Penruddock, sir George Vaughan, sir John Weld, sir Robert Lee, sir John Pate, John Ackland, Edmond Windham, esq. sir John Fitz-Herbert, sir Edw. Lawrence, sir Ralph Dutton, Henry Lingen, esq. sir Wm. Russel of Worcestershire, Thomas Lee of Adlington, esq. sir John Girlington, sir Paul Neile, sir Wm. Thorold, sir Edw. Husley, sir Tho. Liddell, sen. sir Philip Musgrave, sir John Digby of Nottinghamshire, sir Henry Fletcher, sir Richard Mynshull, Lawrence Halstead, esq. John Denham, esq. sir Edmond Fortesque, Peter St. Hill, esq. sir Tho. Tildesley, sir Henry Griffith, Michael Warton, esq. sir Henry Spiller, Mr. George Benyon, (now called sir George Benyon) sir Edw. Waldegrave, sir Edw. Bishop, sir Robert Owseley, sir John Maney, lord Cholmondely, sir Thomas Aston, sir Lewis Dives, sir Peter

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Osbourne, Samuel Thornton, esq. sir John Lucas, John Blaney, esq. sir Tho. Chedle, sir Nich. Kemys, Hugh Lloyd, esq. sir Nich. Crisp, and sir Peter Rycaut,—And all such of the Scots nation as have concurred in the Votes at Oxford, against the kingdom of Scotland, and their proceedings; or have sworn or subscribed the Declaration against the Convention and Covenant; and all such as have assisted the rebellion in the North, or the invasion in the South of the said kingdom of Scotland, or the late invasion made there by the Irish and their adherents, be removed from his majesty's councils, and be restrained from coming within the verge of the court; and that they may not, without the advice and consent of both houses of the parliament of England, or the estates in the parliament of Scotland respectively, bear any office, or have any employment concerning the state or commonwealth: and in case any of them shall offend therein, to be guilty of high treason, and incapable of any pardon from his majesty, and their estates to be disposed of as both houses of the parliament of England, or the estates of the parliament in Scotland respectively, shall think fit: and that one full third part, upon full value, of the estates of the persons aforesaid, made incapable of employment as aforesaid, be employed for the payment of the public debts and damages, according to the Declaration.—First Branch. That the late members, or any who pretended themselves late members, of either house of parliament, who have not only deserted the parliament, but have also sat in the unlawful assembly at Oxford, called or pretended by some to be a parliament, and voted both kingdoms traitors, and have not voluntarily rendered themselves before the last of October, 1644, be removed from his majesty's councils, and be restrained from coming within the verge of the court; and that they may not, without advice and consent of both kingdoms, bear any office, or have any employment concerning the state or commonwealth: and in case any of them shall offend therein, to be guilty of high treason, and incapable of any pardon by his majesty; and their estates to be disposed as both houses of parliament in England, or the estates of the parliament of Scotland respectively, shall think fit.—Second Branch. That the late members, or any who pretended themselves members, of either house of parliament, who have sat in the unlawful Assembly at Oxford, called or pretended by some to be a parliament, and have not voluntarily rendered themselves before the last of October, 1644, be removed from his majesty's councils, and restrained from coming within the verge of the court; and that they may not, without the advice and consent of both houses of parliament, bear any office, or have any employment concerning the state or common-wealth; and in case any of them shall offend therein, to be guilty of high treason, and incapable of any pardon from his majesty, and their estates to be disposed as both houses of the parliament of England shall think fit.—Third Branch. That the late members, or any who pretended themselves members, of either house of parliament, who have deserted the parliament, and adhered to the enemies thereof, and have not rendered themselves before the last of October, 1644, be removed from his majesty's councils, and be restrained from coming within the verge of the court; and that they may not, without the advice and consent of both houses of parliament, bear any office, or have any employment concerning the state or commonwealth; and in case any of them shall offend therein, to be guilty of high treason, and incapable of any pardon from his majesty, and their estates to be disposed as both houses of parliament in England shall think fit.

Fifth Qualification.—That all Judges and Officers towards the law, common or Civil, who have deserted the parliament, and adhered to the enemies thereof, be incapable of any place of judicature or office towards the law, common or civil; and that all serjeants, counsellors, and attornies, doctors, advocates, and proctors of the law, common or civil, who have deserted the parliament, and adhered to the enemies thereof, be incapable of any practice in the law, common or civil, either in public or private; and shall not be capable of any preferment or employment in the commonwealth, without the advice and consent of both houses of parliament: and that no bishop or clergyman, no master or fellow of any college or hall, in either of the universities, or elsewhere, or any master of school or hospital, or any ecclesiastical person, who hath deserted the parliament, and adhered to the enemies thereof, shall hold or enjoy, or be capable of any preferment or employment in church or commonwealth; but all their said several preferments, places, and promotions, shall be utterly void, as if they were naturally dead; nor shall they otherwise use their function of the ministry, without advice and consent of both houses of parliament; provided, that no lapse shall incur by such vacancy until six months past, after notice thereof.

Sixth Qualification.—That all persons who have been actually in arms against the parliament, or have counselled, or voluntarily assisted the enemies thereof, are disabled to be sheriffs, justices of the peace, mayors, or other head officers of any city or corporation, commissioners of Oyer and Terminer, or to sit or serve as members, or assistants in either of the houses of parliament, or to have any military employment in this kingdom, without the consent of both houses of parliament.

Seventh Qualification.—The persons of all others to be free of all personal censure, notwithstanding any act or thing done in or concerning this war, they taking the Covenant.

Eighth Qualification.—The estates of those persons excepted in the first three precedent Qualifications; and the Estates of Edward lord Littleton, and of William Laud, late arch-

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bishop of Canterbury, to pay public debts and damages.

Ninth Qualification.—First Branch. That two full parts in three, to be divided, of all the estates of the members of either house of parliament, who have not only deserted the parliament, but have also voted both kingdoms traitors, and have not rendered themselves before the 1st of Dec. 1645, shall be taken and employed for the payment of the public debts and damages of the kingdom.—Second Branch. That two full parts in three, to be divided, of the estates of such late members of either house of parliament, as sat in the unlawful Assembly at Oxford, and shall not have rendered themselves before the 1st Dec. 1645, shall be taken and employed for the payment of the public debts and damages of the kingdom.—Third Branch. That one full moiety of the estates of such persons, late members of either of the houses of parliament, who have deserted the parliament, and adhered to the enemies thereof, and shall not have rendered themselves before the 1st Dec. 1645, shall be taken and employed for the payment of the public debts and damages of the kingdom.

Tenth Qualification.—That a full third part of the value of the estates of all Judges and Officers towards the law, common or civil; and of all serjeants, counsellors, and attornies, doctors, advocates, and procters of the law, common or civil; and of all bishops, clergymen, masters and fellows of any college or hall in either of the universities, or elsewhere; and of all masters of schools or hospitals and of ecclesiastical persons who have deserted the parliament, and adhered to the enemies thereof, and have not rendered themselves before the 1st Dec. 1645, shall be taken and employed for the payment of the public debts and damages of the kingdom. That a full sixth part of the full value of the estates of the persons excepted in the 6th Qualification, concerning such as have been actually in arms against the parliament, or have counselled or voluntarily assisted the enemies thereof, and are disabled according to the said Qualification, be taken and employed for the payment of the public debts and damages of the kingdom.

Eleventh Qualification.—That the persons and estates of all common soldiers, and others of the kingdom of England, who, in lands or goods, be not worth 200*l.* sterling; and the persons and estates of all common soldiers and others of the kingdom of Scotland, who, in lands or goods, be not worth 100*l.* sterling, be at liberty and discharged.—First Branch. This proposition to stand as to the English; and as to the Scots likewise, if the parliament of Scotland, or their commissioners, shall so think fit.—Second Branch. That the 1st of May last is now the day limited for the persons to come in, that are comprised within the former Qualification. That an act be passed, whereby the debts of the kingdom, and the persons of delinquents, and the value of their estates may be known; and which act shall appoint in what manner the confiscation and proportions before-mentioned may be levied, and applied to the discharge of the said engagements. The like for the kingdom of Scotland, if the estates of parliament, or such as shall have power from them, shall think fit.

XVII. That an act of parliament be passed, to declare and make void the Cessation of Ireland, and all Treaties and conclusions of Peace, or any Articles thereupon, with the rebels, without consent of both houses of parliament; and to settle the prosecution of the war of Ireland in both houses of the parliament of England to be managed by them; and the king to assist, and to do no act to discountenance or molest them therein. That Reformation of Religion, according to the Covenant, be settled in the kingdom of Ireland by act of parliament, in such manner as both houses of the parliament of England have agreed, or shall agree upon, after consultation had with the Assembly of Divines here. That the deputy or chief governor, or other governors of Ireland, and the presidents of the several provinces of that kingdom, be nominated by both houses of the parliaments of England, or, in the intervals of parliament, by such committees of both houses of parl. as both houses of the parl. of England shall nominate and appoint for that purpose: and that the chancellor, or lord-keeper, lord-treasurer, commissioners of the great seal or treasury, lord-warden of the cinque ports, chancellor of the exchequer and duchy, secretaries of state, master of the rolls, judges of both benches, and barons of the exchequer of the kingdoms of England and Ireland, and the vice-treasurer and treasurers at wars of the kingdom of Ireland, be nominated by both houses of the parliament of England, to continue quamdiu se bene gesserint; and, in the intervals of parliament, by the aforementioned committees, to be approved or disallowed by both houses at their next sitting.—The like for the kingdom of Scotland, concerning the nomination of the lords of the privy-council, lords of session and exchequer, officers of state, and justice-general, in such manner as the estates of the parliament there shall think fit.

XVIII. That the Militia of the city of London, and liberties thereof, may be in the ordering and government of the lord mayor, aldermen, and commons in common council assembled, or such as they shall, from time to time, appoint, (whereof the lord mayor and sheriffs, for the time being, to be three) to be employed and directed, from time to time, in such manner as shall be agreed on, and appointed by both houses of parliament. That no citizen of the city of London, nor any of the forces of the said city, shall be drawn forth or compelled to go out of the said city, or liberties thereof, for military service, without their own free consent. That an act be passed for the granting and confirming of the charters, customs, liberties, and franchises of the city

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of London, notwithstanding any nonuser, misuser, or abuser. That the Tower of London may be in the government of the city of London; and the chief officer and governor thereof, from time to time, be nominated and removeable by the common council: and, for the prevention of inconveniences which may happen by the long intermission of common councils, it is desired that there may be an act, That all bye-laws and ordinances already made, or hereafter to be made, by the lord mayor, aldermen, and commons, in common council assembled, touching the calling, continuing, directing, and regulating the same common councils, shall be as effectual in law, to all intents and purposes, as if the same were particularly enacted by the authority of parliament: and that the lord mayor, aldermen, and commons, in common, council may add to, or repeal the said ordinances from time to time, as they shall see cause. That such other propositions as shall be made for the city, for their further safety, welfare, and government, and shall be approved of by both houses of parliament, may be granted and confirmed by act of parliament.

XIX. That all grants, commissions, presentations, writs, process, proceedings, and other things passed under the great seal of England, in the custody of the lords and others, commissioners appointed by both houses of parliament for the custody thereof, be, and, by an act with the royal assent, shall be, declared and enacted to be of like full force and effect, to all intents and purposes, as the same or like grants, commissions, &c. and other things under any great seal of England, in any time heretofore were, or have been; and that, for the time to come, the said great seal, now remaining in custody of the said commissioners, continue, and be used for the great seal of England; and that all grants, commissions, &c. and other things whatsoever, passed under, or by authority of any other great seal, since the 22d of May, 1642, or hereafter to be passed, be invalid and of no effect, to all intents and purposes; except such writs, process and commissions, as being passed under any other great seal than the said great seal in the custody of the commissioners aforesaid, on or after the said 22d of May, and before the 28th of Nov. 1643, were afterward proceeded upon, returned into, or put in use in any of the king's courts at Westminster: and except the grant to Mr. Justice Bacon, to be one of the justices of the King's Bench: and except all acts and proceedings by virtue of any such commissions of goal delivery, assize, and Nisi prius, or Oyer and Terminer, passed under any other great seal than the seal aforesaid, in custody of the said commissioners before the 1st of Oct. 1642. And that all grants of offices, lands, tenements, or hereditaments, made or passed under the great seal of Ireland unto any person or persons, bodies politick or corporate, since the cessation made in Ireland, the 15th Sept. 1643, shall be null and void; and that all honours and titles conferred upon any person or persons in the said kingdom of Ireland, since the said Cessation, shall be null and void."

The King's Answer to the Parliament's Desire of surrendering up all his Garrisons in Ireland.] Whilst the commissioners were on their journey, the houses received the king's Answer to their Letter desiring an order from his majesty to the marquis of Ormond, for surrendering up the Castle of Dublin, and all other garrisons in Ireland, to their use.

"C. R. His majesty having considered the Letter of the 6th instant, sent to him from the lords and commons in parliament assembled, thinks fit to return this Answer, That as none can be more deeply affected than his majesty with the past and present calamities of his kingdom of Ireland, nor is so nearly concerned in the preservation of his majesty's Protestant subjects, so he will be most ready to apply all future remedies for their deliverance: and as to the particulars of delivering, forthwith, of the city and castle of Dublin, the town of Drogheda, and all other garrisons in that kingdom, which are held by his majesty's authority, into the hands of such as the parliament shall appoint; his majesty being most willing that all those places may be so disposed as they may be best secured from the rebels, and serve most for the safety of his good subjects, doth again earnestly press that the Propositions, so long expected for the Peace of that and his other kingdoms, may be hastened to him; expecting that they will contain the readiest means, not only of preserving those places which are already in his power, but likewise of reducing the rest of that kingdom, possessed by the rebels, to his obedience. And as his majesty knows not a more speedy and effectual way for attaining those ends, than by removing all differences betwixt his majesty and the two houses of parliament; so nothing will be more earnestly endeavoured by his majesty, than that a solid and lasting Peace be forthwith established. Newcastle, July 11, 1646."

July 23. On the Surrender of Oxford, the Great Seal, and several other seals for different courts and offices, fell into the parliament's hands. And this day the lords ordered that the Great Seal should be defaced and broken; as also the seal for the Court of Wards, the Exchequer Seal, and the seal of the King's Bench, with those of the admiralty and prerogative court; but the privy seal, signet seal, and other smaller seals, were ordered to be locked up.

The Parliament refuse the French King's Offer of Mediation.] The French Ambassador, in a speech he made at his audience, had signified to the parliament, That his master, the French king, had offered to be a mediator of peace between the king of England and his parliament. And this day the following Answer being drawn up, was read, agreed to, and ordered to be sent to the ambassador:

"My lord; July 22, 1646.

"We do thankfully acknowledge the expres-

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sions we have received from the French king, of his majesty's good affections to this kingdom; and shall heartily endeavour, on our parts, the continuance of it: but as to his majesty's desires of mediating a Peace, and interposing betwixt our king and us, and to what was said by your excellency on that particular, and of your being sent to invite us to take or propound some conditions that might effect the same, we do declare that we ourselves have been careful to improve all occasions to compose these unhappy troubles, yet we have not, neither can we admit of any mediation or interposing betwixt the king and us, by any foreign prince or state. And we desire that his majesty, the French king, will rest satisfied with this our resolution and answer."

The King's Great Seal, &c. broken.] Aug. 11. Mention has been made of the parliament's being in possession of the Great Seal, and several other private and public Seals belonging to the king, and of the Orders made for the breaking of them: accordingly, this day, the same was performed in a very solemn manner, before the two houses, the commons being come up to the house of lords for that purpose; where the Great Seal, and the others beforementioned, were broken and defaced, and the silver of them ordered to be divided between the Speakers of both houses; but the Signet Seal and the Privy Seal, with those for foreign letters, were ordered to be put into the custody of the commissioners of the Broad Seal belonging to the parliament.

Report of the Proceedings of the Commissioners sent to the King.] Aug. 12. The commissioners of both houses being now returned from Newcastle, sir Walter Erle made the following Report of their proceedings to the commons, viz. "That the time of their arrival at Newcastle being Thursday the 23rd of the last month, about 9 of the clock in the forenoon, immediately upon their coming thither (because they would lose no time) they desired the lord-chancellor of Scotland and the marquis of Argyle, who were joint commissioners with them, to move the king, that he would be pleased to appoint a time when they might attend him with the Propositions which they had brought from the parliament: and they going to the king brought them back word, that his pleasure was, they should attend him the next day, at two in the afternoon; which accordingly they did. On Friday the Earl of Pembroke, after a short declaration of what they had in command, desired the Propositions might be read; which, the king assenting unto, was accordingly done: that a little while after they were begun to be read, he demanded of them, Whether they had any power to treat or debate upon them, or that he might ask them any questions for the explaining of them: that they answered that they had no such power: that the king then said, 'Your business is but to 'bring them, and a good honest trumpeter 'might have done as much, but for the honour 'of it.' The Propositions being read through and delivered unto him, they again, as at the first, humbly demanded his positive Answer and consent unto them; the commissioners for Scotland seconding the same, on the behalf of that kingdom. The king answered, 'He was sure they could not expect a present Answer from him in a business of that consequence.' This being done upon the Friday, (and they having heard nothing from him Saturday or Sunday) the Monday following they made their address unto him the same ways as before; and being appointed to attend him on Tuesday, came unto him accordingly, and put him in mind of their former desires of a positive Answer and consent to the Propositions; alledging they had but little time to stay there. The king told them, 'He knew their time li-'mited; and against that time would prepare 'his Answer:' but no Answer being given the next day or the day following, Thursday in the afternoon they desired those two lords to move the king again for their dispatch: which on Friday morning they did; and told them the king would have put it off till Saturday night, but they had prevailed with him to grant Saturday morning; yet if they thought fit (for the more surety) to go, they would go with them that evening: which being resolved, they went unto him, and humbly craved his Answer and consent, as before: then the king told them, He would give them his answer the next morning, betwixt 10 and 11 of the clock. Accordingly, on Saturday morning, they attended; and humbly craved his positive Answer and consent to the Propositions, as they had formerly done; the earl of Pembroke humbly beseeching him to consider with himself the dangerous consequence that would follow to himself, his kingdoms and posterity, if he should not now do it. Then the king told them, He had drawn up his Answer in writing; which, after he had caused it to be read, he offered to deliver unto them: but they conceiving it not to be satisfactory, after some private consultation amongst themselves, came unto him, and desired to be excused; pressing him to a positive Answer and consent, and telling him, they must take the boldness to continue so doing till the last period of their time; and therefore prayed him to give them admittance again before their departure. He asked, when? They answered, That afternoon, if he pleased. He said that could not be, for he had other business to do: so the next morning was appointed, and they accordingly came unto him on the Lord's Day, before prayers, and pressed him, as they had done before, with importunity; but he told them he could not give them any other Answer than what he had set down in writing, and tendered unto them before: which he caused again to be read, urging them with much importunity to receive it. They thereupon craving leave to withdraw, and considering with themselves that they had used all the means they could for the obtaining a positive Answer and consent; and

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that no other answer could be gotten, but that which he had now the second time offered to them in writing, they returned back and spake these words, viz. 'They receive this 'Paper, now offered by your majesty, with this 'humble protestation, That it is without their 'approbation or consent, as to the taking of 'it for an Answer; and that it shall be no en-'gagement to them, the commissioners, in any 'kind whatsoever."

After this the commons ordered the Thanks of their house to be given to the lords commissioners and to the commissioners for Scotland, as well as to those of their own body that attended the king with the Propositions. The earl of Pembroke made the same report to the lords.

The King's Answer to the Propositions.] Next follows the king's Answer to the Propositions, as put into writing by his majesty, and delivered to the commissioners:

"C. R. The Propositions tendered to his majesty by the commissioners from the lords and commons assembled in the parliament of England at Westminster, and the commissioners of the parliament of Scotland, (to which the houses of parliament have taken twice so many months for deliberation as they have assigned days for his majesty's Answer) do import so great alterations in government, both in the church and kingdom, as it is very difficult to return a particular and positive Answer, before a full debate, wherein these Propositions and the necessary explanations, true sense and reasons thereof, be rightly weighed and understood; and that his majesty, upon a full view of the whole Propositions, may know what is left, as well as what is taken away and changed: in all which his majesty finds, upon discourse with the said commissioners, that they are so bound up from any capacity either to give reasons for the demands they bring, or to give ear to such desires as his majesty is to propound, as it is impossible for him to give such a present judgment of, and Answer to, these Propositions, whereby he can answer to God, that a safe and well-grounded Peace will ensue; which is evident to all the world can never be, unless the just power of the crown, as well as the freedom and property of the subject, with the just liberty and privileges of parliament, be likewise settled. To this end his majesty desires and proposeth to come to London, or any of his houses thereabouts, upon the public faith and security of the two houses of his parliament, and the Scots commissioners, that he shall be there with freedom, honour, and safety; where, by his personal presence, he may not only raise a mutual confidence betwixt him and his people, but also have those doubts cleared, and those difficulties explained unto him, which he now conceives to be destructive to his just regal power, if he should give a full consent to these Propositions as they now stand: as likewise that he might make known to them such his reasonable demands, as he is most assured will be very much conducible to that happy peace which all good men desire and pray for; by settling of religion, the just privileges of parliament, with the freedom and property of the subject. And his majesty assures them, that as he can never condescend unto what is absolutely destructive to that just power which, by the laws of God and the land, he is born unto; so he will chearfully grant and give his assent unto all such bills at the desire of his two houses, or reasonable demands for Scotland, which shall be really for the good and peace of his people, not having a regard to his own particular, much less of any body's else, in respect to the happiness of these kingdoms: wherefore his majesty conjures them, as Christians, as subjects, and as men who desire to leave a good name behind them, that they will so receive and make use of this Answer, that all issues of blood may be stopped, and these unhappy distractions peaceably settled. At Newcastle the 1st of August, 1646." P. S. Upon assurance of a happy agreement, his majesty will immediately send for the Prince, his son, absolutely answering for his perfect obedience, to return to this kingdom."

This Answer, the Journal observes, was read by the reporter, but not admitted to be read by the clerk.

Remonstrance of the Scots Commissioners in Vindication of their Nation, and offering to withdraw their Army.] The Speaker of the house of Lords presented a Letter which he had received from the Scots Commissioners, which was read, and a Paper inclosed therein; as follows:

"The same principles of brotherly affection, which did induce both kingdoms to a conjunction of their councils and forces in this cause, move us at this time to apply ourselves to the most real and effectual ways which tend to a speedy conclusion and amicable parting, and to the preventing of misunderstandings between the kingdoms in any of these things, which, peradventure, our common enemies look upon with much joy, as occasions of differences; for this end we have not taken notice of the many base calumnies and execrable aspersions cast upon the kingdom of Scotland in printed pamphlets, and otherwise; expecting, from the justice and wisdom of the honourable houses, that they will of themselves take such course for the Vindication of our Nation and Army, as the estates of Scotland have shewed themselves ready to do for them in the like case.—Upon the invitation of both houses, the kingdom of Scotland did chearfully undertake, and hath faithfully managed, their assistance to this kingdom, in pursuance of the ends expressed in the Covenant. And the forces of the common enemy being, by the blessing of God upon the joint endeavours of both kingdoms, now broken and subdued, a foundation being also laid and some good progress made in the reformation of religion, which we trust the honourable houses will, according to the Covenant, sincerely, really, and constantly prosecute until it be perfected; that we may

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manifest, to the consciences of our brethren and to all the world, how far it is, and ever was, from the thoughts or intentions of the kingdom of Scotland to make use of their army in this kingdom to any other ends besides those expressed in the Covenant; and how much they desire the preserving and perpetuating of peace and amity between the kingdoms, and the easing of the burthens and pressures of this nation; we do declare in their name, That they are willing, forthwith, to surrender the garrisons possessed by them in this kingdom, which they did keep for no other end but the safety and security of their forces; and, without delay, to recall their army, reasonable satisfaction being given for their pains, hazards, charges, and sufferings; whereof a competent proportion to be presently paid to the army before their disbanding, and security to be given for the remainder at such times hereafter as shall be mutually agreed on.—If any forces shall be kept on foot in either kingdom, we desire that they may be put under the command of such persons as are known to be zealous for reformation and uniformity in religion, and most tender of the peace of the kingdoms, and against whom neither of the kingdoms may have any just cause of jealousy. And whereas the kingdom of Scotland hath been invaded, and is still infested by forces from Ireland, it is expected that the honourable houses, according to the Large Treaty, will give such assistance and supply to the kingdom of Scotland, as may speedily reduce those rebels to obedience. And, to the end there may in all things be a good understanding between the kingdoms, we further propose, That whereas Propositions for a safe and well-grounded Peace have been lately sent to the king in the name of both kingdoms; and, for obtaining his majesty's consent thereunto, the utmost endeavours of the kingdom of Scotland have not been wanting, as may appear by the many addresses, petitions, and solicitations to that end from the army, the lords of his majesty's privy council, the committee of estates, and the general assembly of the church; the success whereof hath not answered our wishes and hopes, his majesty, to our unspeakable grief, not yet having agreed to the Propositions; we desire that the honourable houses may be pleased to take such course as, by joint advice of both kingdoms engaged in the same cause, labouring under the same dangers, and aiming at the same ends, we may consult and resolve what is next to be done for the peace and safety of these kingdoms, both in relation to his majesty, and each kingdom to the other; being confident that the result of our joint consultations will be such as shall provide for the present and future security of the kingdoms, and strengthen their union between themselves. By Command of the Commissioners for the Parliament of Scotland. John Chiesley."

£.100,000 voted to the Scots Army, on Account.] Aug. 13. A conference being held between both houses on this subject, the earl of Pembroke acquainted the commons, "That he was commanded to give an account of the carriage of the Scots commissioners that did attend his majesty with the Propositions, and of the rest of the Scots lords, and of the whole nation there: that they did express much zeal, and faithfulness, and affection, to the cause; very much love and respect to the commissioners; faith, honour, and honesty in all their carriage; earnestness and freedom towards the king; freeness and clearness towards our commissioners, and would do nothing without them, and were never from them when their presence could do them any service."

Aug. 14. This being reported to the commons, the foregoing Paper inclosed therein was read, and the opinion of the lords thereupon. Then an Ordinance for punishing the printers and contrivers of all scandalous pamphlets or papers against the kingdom of Scotland, or their army residing here, was read; and a motion being made for a second reading thereof, it was carried in the affirmative by 130 voices against 102. Then it was resolved, without division, 1. "That the sum of 100,000*l.* be forthwith provided for the Scots Army, and paid unto them, upon the marching of their armies and forces out of this kingdom. 2. That the members of this House that are of the committee of both kingdoms, or any four of them, do communicate this vote to the Scots commissioners, and receive their answer thereunto: and that they do acquaint them, That upon the adjusting of the Accounts of their Armies and Forces, whatsoever shall appear to be due to them shall be paid them, according to the treaty."

But the Scots demand 500,000l.] Aug. 18. The commons authorized such of their members as were of the committee of both kingdoms, to confer with the Scots Commissioners, and to know, what sum would satisfy them for all demands from the kingdom of England, expressed in the before-mentioned Paper; what sum they expected to be paid, in present, before their disbanding, and what for the future, and at what times. And the next day Mr. Crew reported, by the word of mouth, That, in discourse, the Scots Commissioners said, "That they expected 600,000*l.* of which 300,000*l.* to be paid presently, and the remaining 300,000*l.* at such time as shall be agreed upon; but that considering the necessities of this kingdom, and the state of Ireland, they are content to take 200,000*l* presently, and 300,000*l.* within a year."

The Pensions formerly allowed to Members, discontinued.] Aug 20. The commons resolved, That the several Allowances of 4*l.* per week, granted to their own members, and all Pensions appointed to those of either house, be from henceforth discharged.*—But to return to the affair of the Scots Army.

* This Vote is thus commented upon by a Journalist of the times: "These Pensions were

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£.100,000 more voted for the Scots Army.] Aug. 21. The commons, having taken Mr. Crew's Report, before-mentioned, into consideration, resolved, 1. "That 200,000*l.* be provided for the Scots Army; whereof the first 100,000*l.* to be paid unto them, upon the marching of their Armies and Forces out of this kingdom, at such time and place as hereafter shall be expressed. 2. That the time shall be the 18th of Sept. next. 3. That it be referred to such members as are of the committee of both kingdoms, to confer with the commissioners of Scotland concerning the place for the payment of the first 100,000*l.* 4. That the second 100,000*l.* shall be paid at two equal payments; the first 50,000*l.* at the end of 3 months, and the second 50,000*l.* at the end of 9 months; both accounting from the 18th Sept. next." And the committee of the North, with the committee for the Army, were ordered to prepare a general Estimate of the Accounts of the Scots Army; to consider of the Estimate sent in by the Scots commissioners; and what shall be thought fit to be brought in, by way of Estimate, to balance that, or defalk from it, or surcharge upon it.

A third Sum of 100,000l. voted for the Scots Army.] Aug. 27. Mr. Stockdale reported a General Estimate of the Accounts of the Scots Army since their coming into England, as sent in by their commissioners; and another Estimate thereof, as stated by a committee of the house of commons, with several Objections to that delivered in by the Scots. After reading the Estimates, both English and Scots, and the Objections to the latter, the question was proposed, That such members as are of the committee of both kingdoms shall have power to offer unto the commissioners of Scotland, 100,000*l.* more than the 200,000*l.* already voted; to be paid unto them at the end of 12 months, to be accounted from the end of the 9 months whereon the last 50,000*l.* part of the said 200,000*l.* is ordered to be paid; and for a discharge of all demands from this kingdom, expressed in their Paper of the 18th of August, if they shall be content therewith; or, otherwise, to offer them to come to an account upon the first 200,000*l.* But, a motion being made for granting 200,000*l.* additional instead of one, this passed in the negative, by a majority of 108 against 101; and the proposal for only 100,000*l.* more was agreed to. Then this Vote was ordered to be communicated to the Scots Commissioners, and their Answer demanded.

A fourth Sum of 100,000l. voted for the Scots Army.] Sept. 1. The Scots commissioners having presented their Answer to the English Estimate and Exceptions, as also to the commons offer of 300,000*l.* and the same being twice read, a motion was made for taking it into present consideration, which was agreed to by a majority of 129 against 106: and then the question which had been rejected a few days before, for adding a fourth 100,000*l.* was carried by 140, against 101; but the commons resolved to adhere to their former Votes, as to the time and manner of the payment of the 300,000*l.* already voted; and that the time for the payment of this last 100,000*l.* now voted, should be at the end of 12 months, to be accounted from the time assigned for the payment of the last 100,000*l.* of the 300,000*l.* formerly voted. And this resolution, as the former had been, was ordered to be communicated to the Scots Commissioners, and their immediate Answer required; which being the next day reported by sir Henry Vane, junior, the commons again resolved to adhere to their former votes, as to the time and manner of the payment of the 400,000*l.* to the kingdom of Scotland; that such members of their house as were of the committee of both kingdoms, or any four of them, do, that afternoon, communicate the said resolution to the Scots commissioners, and offer to them reasons why the house doth adhere to their former votes; to confer with them about the place for receiving of their money; and to declare unto them, that it is expected that, upon the payment of the first 100,000*l.* as aforesaid, their armies and forces do march out of this kingdom. But, on the 4th of this month, the Scots commissioners, not satisfied with these Resolutions, presented three Papers to the house of lords, offering reasons for the present payment of 200,000*l.* The lords ordered the said Papers to be communicated to the commons; and the next day, the same being read there, a motion was made for adhering to their former votes, as to the time and manner of the payment of the 400,000*l.* to the kingdom of Scotland; but it passed in the negative, by 112 against 102. Immediately after which a committee was appointed to go to, and to have power to treat with, the lord mayor, aldermen, and common council of the city of London, or any other persons, for borrowing 200,000*l.* as soon as might be, for the service of the state; to consider of all ways and means for raising of the said sum, and to offer securities for the same.—It was also ordered, that such members as are of the committee of both kingdoms, do

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allowed to many members whose lands were wholly sequestered by the king, and some others; but the king's forces being, by God's mercy, now broken, and the kingdom under the command of the parliament, the house voted, That they should be taken off; that allowance being intended but for the supply of their necessity, while they were deprived of their own estates. Such is the care of that house, as clearly appeareth, to ease the kingdom of payments, and to ratify the debts due to those that want: let the people express their true thankfulness by their loving submission and obedience to their orders and commands, for it is not the least evil to the kingdom's prejudice, that men murmur against and are jealous of their preservers, which is the work and design of the enemy to foment." The Dove, No. 118, p. 12.

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confer with the Scots commissioners, and receive satisfaction from them concerning the delivery up of the Garrisons, and the marching of their Armies and forces out of this kingdom; and to desire them, if they want any powers, that they would speedily procure the same from the kingdom of Scotland; to the end the delivery up of the garrisons, and the marching away of their armies and forces, may be ascertained between the two kingdoms; and likewise to declare, whether they have instructions to make any other demands, before the marching away of their forces; and, if they have, what those other demands are.

Death of the Earl of Essex.] Sept. 14. This day died the parliament's late General, the earl of Essex. The houses being informed thereof the next day, they immediately adjourned, 'In sense of the sad loss of the earl 'of Essex, a person of such eminent worth and 'service to the parliament;' as their Journals express it.

The Lords agree to two Votes concerning the Disposal of the King's Person.] Sept. 24. A message came up from the commons, to put the lords in mind of two Votes concerning the Disposal of the Person of the King, which had laid before them a long time. After a long debate, the house being resumed, the question was put, Whether the two Votes, as sent up from the commons, should now pass? the numbers stood 11 and 11. Then a second question was put, Whether the house should sit that afternoon, and debate this business again? and it passed in the affirmative. Accordingly, at the said time, it was again debated, and both Votes were agreed to. A committee of 14 lords was likewise appointed to confer, consult, and debate on the subject of the foregoing Votes, with the Scots commissioners; and a proportionable number of the commons were desired to join with them, which they agreed to.

October. The chief business of this month was debating and disputing about the Disposal of the King's Person, in consequence of the foregoing Votes; the commons positively asserting it as the sole and absolute right of the English nation, the king being in England; and the Scots commissioners as strongly insisting on their Joint Right therein. The arguments, on the Scots side, are entered in the Lords Journals, and were printed in a single pamphlet of this time; but they are too long and too tedious for our purpose. The substance of them will be sufficiently collected from the subsequent proceedings of both houses. The title of the said Pamphlet runs thus: "Some Papers given in, by the Commissioners of the Parliament of Scotland, to the Honourable Houses of the Parliament of England, in Answer to their Votes of the 24th of September, 1646, concerning the Disposing of his majesty's Person."

Oct. 21. On the reading of the said Papers of the Scots Commissioners in the house of lords, after debate thereupon, it was moved that this Vote should be put, "That a committee shall be appointed to join with a proportionable number of the house of commons, to consult and debate with the commissioners of Scotland, concerning such things that may settle the peace, prosperity, and brotherly amity of the two kingdoms of England and Scotland." But, on a second motion, "That these words, 'in relation to the king,' should be added," it was put to the question, and carried in the affirmative. Then the whole Vote, with this addition, being read, it also passed in the same manner.

Mr. Challoner's Speech upon the Scots Papers concerning the Disposal of the King's Person.] Oct. 26. The said Papers were read in the house of commons, when a debate arose; and afterwards it was ordered by that house, That they should be referred to the consideration of the same committee, who formerly managed the conference with the commissioners of Scotland about the Disposal of the King's Person, to prepare an Answer to them, and report it to the house. In this debate,

Mr. *Thomas Challoner*, member for Richmond, spoke as follows:* "Mr. Speaker; You have just now heard two Papers read before you, from the Commissioners of Scotland; the first concerning the Disposal of the king's Person; the other touching the distractions of the North, by reason, as they say, of the non-payment of their army: I shall speak nothing to the latter, because it hath been so sufficiently answered by divers knowing members of this house. To the first I shall wholly apply myself, because little or nothing hath been said to that point. The question then before you is about the Disposal of the king's Person. You say, that he is to be disposed of as both houses of parliament shall think fitting; but your brethren of Scotland say, he is to be disposed of as both kingdoms shall think fitting; and they fortify their affirmation with these reasons: They say, That he is not only king of England, but also king of Scotland; and as you have an interest in him, he being king of England, so have they no less interest in him, he being king of Scotland. And as they have not the sole interest in him, he being king of Scotland, because they acknowledge withal that he is king of England; so have not you the sole interest in him, he being king of England, because they desire you to remember that he is also king of Scotland: so as neither nation having a sole, but a joint, interest in his person, they ought jointly to dispose of it for the weal and benefit of both kingdoms.—This I take to be the whole scope of their argument, which they have represented unto you under so many disguises, and as it were by multiplying glasses, insomuch as the bare relating of it takes up three large sheets of paper. But while they debate this great question with you, touching the Disposal of the king's Person; and while they positively affirm that he is to be

* From the original edition, printed by Francis Leach.

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disposed of by the joint consent of both nations, give me leave to remember you that, in the mean time, they dispose wholly of him themselves; and so have done for these six months, and may for six months longer, for any thing I can gather out of these Papers. Their argument runs thus: Wheresoever the kingdom of Scotland hath an interest in their king, there they may dispose of him: but the kingdom of Scotland hath an interest in their king, he being in England; therefore in England they may dispose of him.—Sir, this may seem at the first to some to be a fair and specious argument; but, let it be well considered, it will prove erroneous and fallacious: for, in the major proposition, they understand one thing by the word King; and, in the minor proposition, they understand another thing by the word King; and so here is a conclusion inferred which the premisses will not warrant. For the clearing whereof, I pray, Sir, remember that this word King is of a various signification; sometimes it is taken in abstracto, that is, for the royal power, function, and office of a king; sometimes it is taken in concreto, that is, for the man or person whom we call king. If their major proposition be taken in the first sense, we shall never deny it them; nay, we shall acknowledge that the king of Scotland, being taken in abstracto, we have nothing to do with him at all; he is solely and totally theirs. God forbid that a king of Scotland, going out of his kingdom, should either make Scotland cease to be a kingdom, or give any participation of interest to that country where he doth reside: let his person reside in the furthest parts of the earth, yet the royal office and capacity of the king resideth still in Scotland: they have his sword to do justice by; they have his sceptre to shew mercy by; they have his seal to confirm what they please by; and they have his laws to govern by: and in this sense it is only meant that the king is never under years, never dies, cannot be deceived, can neither do wrong or take wrong of any body; and, in this sense, we fight for king and parliament, though the person of the king be in opposition to both; and in this sense the returns and tests of the king's writs are, 'coram me-ipso apud Westmonasterium,' and 'teste me-ipso apud Westmonasterium,' let the person of the king at the same time be in France, or the remotest country in the world: but a king of Scotland, taken in this sense, is never out of Scotland; and, therefore, whereas they say in the minor proposition, 'That the kingdom of 'Scotland hath an interest in their king, he 'being in England,' this must needs be meant of a king in concreto; that is, only of the person of their king, and not of his royal capacity. And in this sense we must deny that they have any thing at all to do with him; for though the royal office of the king of Scotland is solely to be disposed of by the state of Scotland, yet it is not so with his person; for persona sequitur locum; and his person must be disposed of by the supreme power of that country wheresoever he shall happen to abide. Suppose a king of Scotland should be in Spain, will they say they have as great an interest to dispose of his person there as in Scotland? I think they will not say so; and yet they did affirm last day at the conference, That they had as good right to dispose of his person at Westminster, as they had at Edinburgh: but, under their favour, England is as distinct a kingdom from Scotland as Spain: it is as distinct in laws, distinct in privileges, distinct in interest; it is neither subordinate to, nor dependant on, Scotland; and they can no more dispose of a king of Scotland's person, he being in England, than if he were in Spain.—I shall take this as granted for good law, That let the person of any nation under the sun, which is in amity with England, happen to come into England, that person is forthwith a subject of England; for he, being protected by the laws of England, becomes thereby subject to those laws; it being most certain that 'Protectio trahit subjec-'tionem, et subjectio protectionem;' they being relatives, the one cannot stand without the other; and as no man can be said to be a father that hath no son, nor no man a husband that hath no wife; so no man can be said to be protected that is not withal thereby subjected: and since, without such protection, every man may kill him and destroy him, it seems to stand with no proportion of justice, that a man should be protected in life, limb, or estate by any law, that will not subject himself to that law.—It cannot be denied but that there is a twofold subjection, legal and local; the legal subjection is due from a subject to his natural prince; the local from any foreigner to that prince or state where his person doth reside. And this, though it be only pro tempore, and the other during life, yet it doth, for the time, totally obstruct the operation of the other subjection: so that no king can command any subject of his, living out of his kingdom; but such subject of his is to be disposed of by the sole authority of that supreme power where he makes his residence: and since the question is only about the person of a king of Scotland, for I conceive they will not take upon them any authority to dispose of the person of a king of England, I do affirm, That if a king of Scotland should have come into England before the union of both these kingdoms, he had been instantly a subject of England, and his person to be disposed of by the sole authority of the laws of England; for either we must take him as a king or a subject, since betwixt them two there is no medium; as a king we cannot take him, unless we should commit treason against our natural prince, and subject ourselves to any but him; it being most certain that there is the same relation betwixt the king and his subjects, as betwixt the husband and his wife; and as no man can be said to be a husband but to his own wife, so no man can be said to be a king but to his own subjects; and therefore we cannot admit of any regality in the person of a king of Scot-

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land coming into England, unless, at the same time, to the same person, we should confess subjection. For that it is most true, that as none can be said to be rex sine regno; so no man can be said to be rex but in regno: therefore, if a king of Scotland, coming as aforesaid into England, if against the laws of England he do offend, by those laws of England he must be tried, and by none other; for 'ubi quis delinquit, ibi punietur.' And it is most sure that we have disposed of the persons of kings of Scotland, coming into England, both living and dead; and if we may dispose of the person of a king of Scotland, without the consent of the kingdom of Scotland, much more may we dispose of the person of a king of England, he being now in England, without their privity or advice: but if they have any power to dispose of him, it is because they are either our masters or our fellows: if they be our masters, let them shew the time when they conquered us, or the price for which we were sold unto them: if they be our fellows, why come they not to our parliaments, why contribute they not to our necessities? But as it is apparent that they are two distinct kingdoms, governed by two distinct laws; so they ought not to intermeddle one with another's interest, but to content themselves with what doth naturally appertain to each of them severally.—There is no doubt to be made but that every husband hath as great an interest in the person of his wife, as any subject hath in the person of his sovereign; and yet a man may lose that interest by some act of his wife's; as if she commit felony, murder, or treason, the law disposeth of her person, and her husband cannot claim any right so much as to her dead body: so fareth it with a king, who, by going out of his kingdom, or by being taken prisoner by his enemies, his subjects lose the interest they had in him, and he is at the disposal of his enemies Jure Belli. John king of England was cited to appear at Paris, to answer for the death of Arthur Plantagenet duke of Britainy, whom he had murdered. The state of England would not let him go, as holding it a great indignity and incongruity that a king of England should answer for any thing at Paris, right or wrong. The French answered, That they cited him not as king of England, but as duke of Normandy; as king of England, they acknowledged to have nothing to do with him, he was in that respect without them and beyond them; but as duke of Normandy which he held in fee of the crown of France, he owed fealty and allegiance for the same to the crown of France, and therefore ought to answer. The English replied, That if the duke of Normandy did go, the king of England must go; and if the duke of Normandy were beheaded, they knew well enough what would become of the king of England. Upon large debate hereof by all the lawyers in France, it was resolved, that if John had been in Normandy at the time of his summons, he ought to have appeared; but he being extra Jurisdictionem Regni Franciæ at the time of his summons, and 'infra jurisdictionem regni Angliæ,' though legally he were a subject of France, yet locally he being in England, his summons was void, and he forfeited nothing by his non-appearance.—I will only urge one argument more, deduced from a known maxim of the law, not only of England but of Scotland also, which the commissioners of Scotland the other day at the conference did cite themselves, in my opinion much against themselves; and that is this, 'Quando duo jura, inter duo regna,' saith a great lawyer, 'concurrant in una persona, æquum est ac si essent in diversis,' which is no more than this, When two kingdoms, held by two distinct titles, do concur in one and the same person, it is all one as if they were in two distinct persons. I suppose here is our very case; here are two kingdoms, England and Scotland, held by two distinct titles, which do both concur in one person, in the person of king Charles; it is all one saith this rule and maxim of the law, as if they were under two several persons. Why then put the case, that there were one king of England and another of Scotland, would the State of Scotland have any thing to do to dispose of the person of a king of England, he being in England? I think you will say they could not.—Sir, I am sorry that our brethren have moved this question at this time; for all questions make debates, and debates differences; and this were a time for brothers to reconcile differences rather than to make them. We have now lived almost 44 years both under two princes, and in all this time this question was never stirred in till now; had it been stirred in, no question but it had been rejected. The people of England would have held it very strange that they could not have disposed of the person of their own king; or that a king of England could not have gone from Whitehall to Richmond or Hampton-Court, without the will and appointment of the council of Scotland; they would have thought they had made a bad bargain by such an union: for, before the union, they might have disposed of the person of their prince; but after, not. And since they conceived that, by the addition of Scotland, there was an addition of charge, they would have been very sorry withal to have had an addition of servility.—Since the beginning of the world there was never before such a contention about the person of a king. The Greeks and Trojans did contend for a long time in fight about the dead body of Patroclus which of them should have it; but here is not a contention about the dead body of a private man, but about the living body of a king: neither do we contend as they did, who should have his person; but here you do contend, as far as I conceive, who shall not have it. Your brethren of Scotland say positively, They will not have the king's person upon any condition whatsoever. It is now about six months past that you voted in this house the demanding of the king's person, but the lords

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then refused to join with you; ever since, until this present, you yourself did acquiesce, as if you had repented of your former Vote: now he must be put upon you, and with such terms as his present guardians please to allow of.—Truly it seems strange to me, that an Army of Scots, in pay of the kingdom of England, which, by the treaty, ought to be governed by the joint consent of the committees of both kingdoms upon the place, should, in England, take a king of England without the privity of the English committee, and convey him to Newcastle, a town likewise of England; and should there keep him for six whole months, without the consent of both houses of parliament; and when they find it not convenient for them to keep him any longer, then they will capitulate with you upon what conditions you must receive his person. I never thought to have found a king of England, his person being in England, under any other protection but that of the laws of England; but now I find him under the protection of a Scots Army, whither they say he is fled for shelter, and that they cannot render him up with honour.—Sir, if that army of theirs be come into this kingdom as brethren, friends, and confederates, as we hope they are, then is every person of that army, during the time of his stay here, locally a subject of England; and such children as are born to them here are not aliens, but denisons; and not only local, but legal subjects of this kingdom: and therefore they having gotten the king into their hands, they ought no more to capitulate upon what terms he should be delivered into yours, than if the army of sir Thomas Fairfax were in possession thereof; who, if they should deny the surrendering of the king unto you, but upon condition, no question but it were capital.—They say, That by virtue of the Covenant they are obliged to defend his person and authority. What his authority is in Scotland themselves best know; but you are only to judge of it in England; since, being not subordinate to any power on earth, there is no power under Heaven can judge you. The Covenant ties you to maintain, in the first place, the rights of parliament, and the liberties of the kingdom; and, in the second place, the king's person and authority; and that only in defence of the former, and not otherwise. And whereas they expect the king should be received by you with honour, safety, and freedom; I beseech you, sir, consider whether, as the case now stands, his reception with honour can stand with the honour of the kingdom; whether his safety be not incompatible with the safety of the commonwealth; and whether his freedom be not inconsistent with the freedom of the people.—I pray, sir, take heed lest that, bringing him in with honour, you do not dishonour yourself, and question the very justice of all your actions; be wary that, in receiving him with safety, you do not thereby endanger and hazard the commonwealth; be advised, lest, in bringing him home with freedom, you do not thereby lead the people of England into thraldom. I pray, sir, first settle the honour, safety, and freedom of the commonwealth; and then the honour, safety, and freedom of the king; so far as the latter may stand with the former, and not otherwise. Wherefore I shall conclude with my humble desire, that you would adhere to your former vote; that is, that the king be disposed of as both houses of parliament shall think fitting; and that you enter into no treaty, either with the king or your brethren of Scotland, lest otherwise thereby you retard the going home of their Army out of England."

The lords agreed to an Ordinance, sent up by the commons, for disannulling and making void all Titles of Honour conferred by the king, on all persons, ever since the lord Littleton carried off the Great Seal: and that they shall not pretend to sit or vote, as peers, in the parliament of England, without the consent of both houses of parliament.

The two houses had likewise a great dispute, this month, about nominating new Commissioners of the Great Seal, and several conferences were held about it. At last they agreed to constitute the Speakers of both houses joint commissioners to act in that office for the space of 20 days: but it was enlarged to a longer time afterwards,

Ordinance for abolishing the Name and Title of Bishops, &c.] In order to the effectual extirpation of all episcopal power out of this kingdom, the parliament passed an Ordinance, the preamble to which runs thus: "That for the abolishing of Archbishops and Bishops, and providing for the payment of the just and necessary debts of the kingdom, into which the same had been drawn by a war, mainly promoted by and in favour of the said Archbishops and Bishops, and other their adherents and dependents, &c." And then it proceeds to enact, "That the name, title, stile, and dignity of Archbishop of Canterbury, abp. of York, bishops of Winchester and Durham; and of all other bishops in England and Wales, be, from Sept. 6, 1646, wholly abolished and taken away, and their lands, possessions, and evidences thereof, settled in trustees, who are to hold such lands, as the bishops held of the king, in fee and common soccage by fealty; and such lands as they held of other than the king, by the accustomed rents and services, and discharged of tithes: that the trustees have power to name surveyors to put the deeds in safe custody, who are to take an oath: that leases not exceeding three lives or 21 years, whereupon an old rent is reserv'd, are not to be avoided; but leases made by the bishops since the 1st Dec. 1641, to be void: That such persons who have surrendered their old leases since that time, to the end they might have a new one granted, shall enjoy their old leases; with a saving of the right of all persons other than the king and the bishops; also to those who have adherred to the parliament, such estates as they have forfeited for non-

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payment of rent, and saving, to the earl of Pembroke and Montgomery, Durham-House: that all rents payable to charitable uses be continued: that the sheriff present to the judges a fit person to perform the office of ordinary: that commissions upon the statute for charitable uses shall be valid, though the bishop be therein omitted: and that all issues, triable by the ordinary or bishop, shall be tried by jury in usual course."

Colonel Monk first employed by the Parliament.] Nov. 12. This day we find an entry in the Journals of a report made to the lords, from the commissioners of both kingdoms, That colonel George Monk had been with them, and had engaged his honour that he would faithfully serve the parliament in the war of Ireland, if he might be employed thither. That he had taken the negative oath, was willing to take the Covenant; and would be ready for his journey at a day's warning*; which being signified to the commons, both houses agreed to his commission, as a person well qualified to do great service in those wars. This is the first public notice we have met with relating to the conduct of this officer, who makes such a figure in these annals afterwards.

Both Houses resolve to compliment General Fairfax on his Arrival in London.] Nov. 13. The Speaker acquainted the lords, That, the day before, sir Thomas Fairfax arrived in town, and the same night came to him, and expressed his readiness to serve that house in all things that laid in his power. Upon which the question was put, Whether the house should appoint their Speaker, with a committee of the whole house, to go and compliment sir Thomas on his arrival? it was carried in the affirmative; the following lords by name, only protesting against this vote: the earls of Middlesex, Suffolk and Lincoln; and the lords Hunsden, Willoughby, and Maynard. The next morning at 11 was appointed for the Speaker to go to sir Thomas, with the whole house, to congratulate his coming to town, and make an acknowledgment of his good services done to the parliament and kingdom. The same day the commons also came to a resolution, That their Speaker, with the whole house, should, the next morning, make a visit to sir Thomas, and return him the thanks of the commons of England, as an acknowledgment of the great blessing of Almighty God upon his faithful services, wise conduct, and great valour, in the whole discharge of the great trust committed unto him, and reducing the distracted affairs of this kingdom to the present happy condition and issue. Accordingly, both houses went to visit him; when, as a Journalist of these times informs us†, the earl of Manchester, Speaker of the house of peers, in the name of that house, addressed the General to this effect; "He gave his excellency thanks for all his care and pains in the defence of the public, expressing their great acknowledgment of his memorable services, and faithful performance of the trust reposed in him; which their lordships should always have in remembrance, and be ready upon all occasions to express their gratitude."

The Speaker Lenthall's Speech on that Occasion.] But Mr. Rushworth tells us that William Lenthall, esq. Speaker of the house of commons, made the following speech to sir Thomas Fairfax:

"Sir; I have a very hard task to perform; to present the respects of the house of commons according to your excellency's merit, and their desires. To effect this accordingly, I should have informed myself from histories that have preserved the memories of the famous worthies of former ages, and should have taken the dimensions of the largest coronets and trophies wherewith they are made glorious; and even those would rather straiten than enlarge the temples of your excellency: or else I should have consulted some of the most learned and eloquent orators, who have set forth the glorious gests performed in former times, whereby I might have insisted on some parallel for your wisdom, piety, justice, and valour; but I conceived the virtues and success which God had bestowed upon you, were very hardly to be matched, and rather needed more industry and memory to enumerate, than oratory to polish. Heretofore when I read the histories of the acts of famous princes and warriors, in this or other nations, it was not without some jealousy that in them there was some mixture and glosses of oratory and art, the more to set off and give lustre to their acts, as arguments of emulation for others to follow the footsteps of their virtues; but the actions of your excellency will add lustre and belief to them being all verified in you. And indeed here, considering the swift marches, and the expedition of those grand and difficult attempts, which were prosecuted and effected by your excellency, I may say, 'The Almighty 'came riding on the wings of wind;' for these were nothing else but the Magnalia Dei, acted in and by you his instrument. It was the custom of the antient Romans, after a glorious and successful prince, to derive his name to posterity in memory of his virtues; as after that great Prince Julius Cæsar, his successors retained the name of Cæsars, as Augustus Cæsar, Tyberius Cæsar, &c. Thus hereafter all famous and victorious succeeding generals in this kingdom, (if the times shall prove so unfortunate) will desire the addition of the name of Fairfax. And surely the honour of the late lord-general was not, whilst he lived, any way eclipsed by the succession of your excellency in his command; but rather augmented, whilst each retained the brightness of his own honour, having both rays enough to enlighten

* Colonel Monk was taken prisoner in the Fight at Nantwich, in Cheshire, in 1643, being then in the king's service. Whitlocke, p. 77.

† A perfect Diurnal of some Passages in Parliament, No. 173.

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a kingdom, then overset with clouds and thick darkness. I shall need to say no more but this, That the world will admire your excellency's worth; posterity will honour your name; and that the whole house of commons, in the name of the commons of England, do return you thanks for your faithful and memorable services: the beginning, continuance, and effect, whereof I must solely attribute to the Almighty, the Lord of Hosts and Victories."

To this extraordinary harangue, which so modest a man, as sir Thomas Fairfax is universally allowed to have been, must have blushed to hear, the general made a short Answer, expressing how much he esteemed himself honoured by the great respects of the houses towards him, for which he desired his humble thanks might be returned; and that he accounted it his greatest happiness, under God, to be in the least kind instrumental for theirs and the kingdom's good.

The Earls of Northumberland and Pembroke charged with sending 4000*l. to the King at Oxford.*] Towards the close of this month a message was brought from the commons, with an Order to deliver to the lords a Letter, with some Examinations, which did concern two Peers of their house, and that they had directions only to deliver them. Hereupon the Letter and Examinations were read, the purport of which was a Charge against the earls of Northumberland and Pembroke, that they should send Money to the King at Oxford, as had likewise some members of the house of commons. Their lordships being present declared their innocency in this business, and desired the houses would please to put it into a way of examination. After debate, this question was put, Whether, at the desire of the earls of Northumberland and Pembroke, there shall be a committee appointed; and that the house of commons be acquainted that the lords desire them to appoint a committee of their own house, who may be present, if they think fit, to examine this business? It was resolved in the affirmative, and an Order made for attaching the body of Richard Lloyd of the Inner-Temple, esq. and bringing him before the lords, to answer the scandals raised by him against the earls of Northumberland and Pembroke.

Then the following Examination of the said Richard Lloyd, taken by the standing committee of parliament in Truro, Nov. 16, 1646, was read: "That this examinant confessed, That on Sunday last, being at dinner at the sign of the Bull in Truro, together with Mr. Cowes and Mr. Trerise, he, amongst other things, told them of certain monies sent from two lords of parliament to the king at Oxford, during the late wars in this kingdom. And this examinant now saith, That he, being at Oxford about 4 years last past, was a gentleman of the privy chamber extraordinary to the king, and rode in his troop; and about that time there were two gentlemen that came from London, the one called Mr. Compton, who was a page to the earl of Pembroke, and was then one of the king's servants; and that they told this examinant they had brought from London 4000*l.* in gold quilted about them, from the earls of Northumberland and Pembroke, from each 2000*l.*, which they had sent to the king; and that the said Compton lay in the same house in Oxford where this examinant lay; and that they were so sore with carrying the said money, that they told this examinant they kept their beds 3 or 4 days; that sir George Crynes of Peckham in Surry, being then at Oxford, told this examinant that he had brought 100*l.* to the king, which sir Poynings Moore, a member of the commons, had sent to the king from London; and that sir Tho. Longueville, near Stony-Stratford, told this examinant above 2 years past, that he had 4 or 500*l.* sent by some parliament-men, friends of his, to the king: and this examinant knoweth that there was, of the said monies, 140 or 150*l.* paid by order from sir Edw. Hyde, the chancellor, for sir Tho. Lunsford's pay. And he further confesseth to have said, That the reasons why the said persons sent the money aforesaid was, because the parliament was weak, and they knew not how things would fall out." Next were read the Examinations of Mr. Trerise and Mr. Cowes in confirmation of the foregoing, and almost in the very same words, which we therefore omit.

Nov. 28. A committee of the commons had been busy, for some time, in framing an Answer to the Scots Commissioners Papers, concerning the disposing of the King's Person; and this day, it was read in that house. After which the question being put, Whether the lords concurrence should be desired to this Answer? it passed in the negative, on a division of 110 against 90. Next it was resolved, That a copy of this Answer to the Scots Commissioners Papers shall be sent to them, as the Answer of the house of commons; which was done accordingly. This Answer was afterwards ordered to be printed and published; but it is too long for our purpose.

Nov. 29. This Answer of the commons seems to have been resented by the Scots Commissioners; for this day the Speaker acquainted the house, That he had sent his servant, with the Answer and a Letter from himself sealed up, to those commissioners; and the servant being desired to stay a little, they came to him again, and gave him a Letter, directed to the Speaker, and returned the Answer sealed up as it was and wrapped in a clean cover. The servant urged, That he had no warrant to receive it back if it was the same he brought; but, upon the commissioners pressing it on him, he took both. The Letter was immediately read; it is not inserted in the Journals, but only said to be dated from Worcester-House, and subscribed by 5 of the commissioners.

The Treaty concerning the Manner and Time of the Payment of the 400,000*l. granted to the Scots Army.*] Dec. 16. The Treaty which

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had been long depending between the commissioners of both nations, about the Payment of the stipulated sums of money to the Scots, for their Army's evacuating this kingdom; and which had gone through great alterations in both houses, was at length fully settled and signed by the English and Scots commissioners: but, previously to the execution thereof, the commons had resolved, That after the Payment of the first 100,000*l.* to the Scots, their Army should not require or take any money or goods whatsoever from the country; but pay for all such provisions as they should receive. These Articles stand thus in the Journals of both houses.

ARTICLES of AGREEMENT between Committees of Lords and Commons of the Parliament of England and Commissioners of the Parliament of Scotland, authorized thereunto by the Parliaments of each Kingdom respectively.

I. "That 400,000*l.* be paid to the kingdom of Scotland, in manner hereafter expressed, for the pay of their Army brought into the kingdom of England for the assistance of this kingdom, and of their forces that came into the garrison of Berwick, by virtue of the treaties between the two kingdoms of the 29th Nov. 1643; and for due recompence and full satisfaction for all the pains, hazard, and charges which they have undergone, and for whatsoever other sums of money or recompence the kingdom of Scotland can claim of the kingdom of England, by virtue of the said treaties. II. That the 200,000*l.* now ready, part of the said 400,000*l.* shall be forthwith sent to the city of York, and shall there forthwith be told by the treasurers in whose custody the money now is, or by such as they, or any two of them, shall appoint; and by such as shall be appointed by the kingdom of Scotland, or by sir Adam Hepburne, treasurer of the Scots army, or his deputies, except 12,000*l.* part thereof, which, at the desire of the Scots commissioners, is reserved to be paid here in London, and is accepted for so much of the first 100,000*l.* appointed to be paid at Northallerton; the which 12,000*l* the said Scots commissioners have power to receive here in manner as aforesaid, and to discharge the kingdom of England thereof. III. That the first 100,000*l.* except the sum of 12,000*l.* before excepted, shall be told within six days after the arrival of the said money at York, and the second 100,000*l.* within six days after that. IV. That the money, so told as aforesaid, shall be sealed up in the several bags, each to contain 100*l.* by the seal of both parties appointed as aforesaid to tell the same; and shall be forthwith put into chests, 1000*l.* in each chest, and the said chests also sealed up by the aforesaid persons appointed to tell the said money. V. That the said persons appointed by the kingdom of Scotland to tell the said money shall continue with the same, to see that there shall be no alteration made thereof after the telling and sealing the same as aforesaid. VI. That within five days after the 200,000*l.* is told at York, 100,000*l.* thereof shall be paid at Northallerton to sir Adam Hepburne or his deputies, or to such others as by the kingdom of Scotland shall be appointed to receive the same, except only the 12,000*l.* reserved to be paid in London as aforesaid. VII. That the delivery of 100 chests of money, or of 1000 bags, so as aforesaid sealed up, to the persons mentioned in the foregoing Article, except before excepted, shall be, and be accounted, the payment of the said 100,000*l.* and acquittances are thereupon to be given for the same to the said treasurers for their discharge, by sir Adam Hepburne, or his deputies, or any other authorized by the kingdom of Scotland. VIII. That when the said 100,000*l.* except before excepted, is come to Topcliffe in the county of York, and before it pass any further towards Northallerton for the payment of the same as aforesaid, the kingdom of Scotland shall there deliver hostages; sir Walter Riddell, knt. George Hume, of Wedderburn, esq. sir Patrick Mackegie, knt. Alex. Strachan, of Thorneton, esq. sir James Wood, knt. sir James Lumsden, younger, knt. sir Arthur Forbes, knt. Tho. Craig, of Rickarton, esq. sir Wm. Ker, knt. Robert Douglas, of Tilly-Whilley, esq. col. John Welden; John Lesley, of Pitcaple, esq. or any six of them, for assurance that the Scots shall quit all their quarters, passes, and garrisons on the south side Tyne; and shall deliver up to such forces as both houses of the parliament of England, or such as shall be by them authorized, shall appoint, all the aforesaid places, together with all the ordinance, arms, and ammunition belonging to the kingdom of England, within ten days after the first 100,000*l.* shall be paid as aforesaid; and for assurance that they shall deliver up the town of Newcastle, with the high castle in the same; the castle of Tinmouth, with all the works belonging thereunto; the Spanish works, the Shields-Field fort, and all other forts and works on the north side Tyne, together with all ordinance, arms, and ammunition therein, belonging to the kingdom of England, unto such forces or persons as shall be appointed by both houses of the parliament of England, or by any by them thereunto authorized to receive the same, when and at such time as notice is given that the second 100,000*l.* is come to the North of the river of Tees, as is hereafter expressed in the tenth Article. IX. That within one day after the performance of all the particulars mentioned in the said former Article, the said hostages of the kingdom of Scotland shall be again re-delivered unto them, within half a mile of the works on the north side of Newcastle. X. That after the garrisons of Hartlepool, Stockton, Durham, and all other garrisons, quarters, and passes on the south side of Tyne, are quitted by the Scots army and forces; and, after that all the said army and forces are removed to the north side of Tyne, which is to be done in ten days after the payment of the first 100,000*l.* as aforesaid, that then the

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other 100,000*l.* shall be brought to the north side of the River Tees. XI. That the second 100,000*l.* being come to the north side of the said river of Tees, upon notice thereof given to the general or commander in chief of the Scots army, in writing, from him that commands the convoy, they shall deliver up the town of Newcastle, with the High Castle in the same; the castle of Tinmouth, with all the works belonging thereunto; the Spanish works, the Shields-Field fort, and all other forts and works on the north side Tyne, other than is provided for in the 15th Article, together with all Ordinance, Arms, and Ammunition therein, belonging to the kingdom of England, unto such forces or persons as shall be appointed by both houses of the parliament of England, or by any by them thereunto authorized to receive the same. XII. That for the more speedy delivery and receiving the said towns of Newcastle and castle of Tinmouth, the said forces that are to be put into those garrisons are to march before the said money and convoy. XIII. That when the Scots army and forces are marching out of, and the English forces are entering into, Newcastle and Tinmouth Castle; and that there be 500 of the garrison appointed by both houses of parliament entered into Newcastle, and not above 500 of the Scots forces remaining therein; that then sir Wm. Selby, knt. Ralph Delaval, esq. sir Edw. Loftus, viscount Ely; sir Tho. Trollop, bart. Henry Mildmay, esq. sir Rd. Erle, bart. sir Ralph Hare, bart. and sir Lionel Tolmache, bart. or any six of them, shall be given hostages by the kingdom of England to the kingdom of Scotland, for assurance that the latter 100,000*l.* of the 200,000*l.* shall be paid unto the kingdom of Scotland, on the north side of the works of Newcastle, within a mile of the said works, within six days after the delivery of Newcastle, Tinmouth castle, and places aforesaid, in manner aforesaid, to such persons, and in such manner, as is expressed in the 6th and 7th Articles for the payment of the first 100,000*l.* And acquittances are thereupon to be given, as in the said 7th Article is expressed. XIV. That upon the delivery of the said latter 100,000*l.* of the 200,000*l.* the hostages of the kingdom of England are forthwith to be redelivered. XV. That upon the coming of the latter 100,000*l.* out of Newcastle, hostages, as in the 8th Article, shall be delivered to the kingdom of England, by the kingdom of Scotland, for assurance that all the Scots armies and forces shall march out of the kingdom of England within ten days after the payment of the latter 100,000*l.* That they will permit and suffer that the fortifications of Berwick and Carlisle may be slighted, according to the Large Treaty and Treaty for Berwick, which shall accordingly be slighted within ten days after payment of the last 100,000*l.* And that the said towns be quitted; and all ordnance, arms and ammunition therein, belonging to the kingdom of England be, within the said ten days, delivered unto such persons as shall be appointed by both houses of the parliament of England, or such as shall be by them, or any authorized by them for that purpose, appointed to receive the same; who also are appointed to cause and see Berwick and Carlisle slighted in manner as aforesaid; and are hereby authorized to call in the aid of the country for the doing thereof, as they shall see cause; and likewise the parliament of Scotland, or any by them authorized, are to appoint such persons as they shall think fit to see this performed. XVI. That within four days after the Scots army and forces shall be marched out of the kingdom of England, and the said garrisons of Berwick and Carlisle quitted as aforesaid, the hostages of the kingdom of Scotland shall be re-delivered unto them. XVII. That the public faith of the kingdom of England is hereby given for the payment of the latter 200,000*l.* as is hereafter expressed: That for the better satisfaction and security of some private persons of the kingdom of Scotland, who have advanced great sums of money, provisions, and other necessaries during these troubles, the sum of 50,000*l.* shall be paid to the said persons, whose names are expressed in an ordinance of both houses for that effect, at twelve months after the payment of the last 100,000*l.* of the first 200,000*l.* out of the receipts of such monies as shall come in and be received by fines and compositions made, and to be made, with papists and delinquents, or by sale of papists and delinquents estates, according to the said ordinance for that effect: and that other 50,000*l.* shall also be paid at the said 12 months after the payment of the last 100,000*l.* of the first 200,000*l.* That the last 100,000*l.* of the 400,000*l.* shall be paid within 12 months after that, viz. two years after the payment of the last 100,000*l.* of the first 200,000*l.* and that out of such ways and means as both houses of parliament shall think fit. Signed at Derby House, in Westminster, the 23d Dec. 1646. Northumberland, Warwick, Manchester, Loudon, Lauderdale, Wm. Waller, W. Pierepoint, Gilbert Gerrard, W. Armyn, A. Heslerig, O. Cromwell, P. Stapylton, R. Wallopp, J. Crew, Ol. St. John, Ch. Erskine, Hugh Kennedy, R. Barclay."

The Lords resolve that the King may come to Newmarket.] The reader may observe that there is not one word about delivering up the Person of the king in all the foregoing Articles: but we find that, on the very same day they were finally concluded, the lords went into a debate on the following Questions:

1. "Whether there shall be a committee appointed to consider of some Declaration to be offered to the house, concerning the king's coming to one of his houses? 2. Whether they should peruse a former Vote made on the 21st of October last?" (p. 521). They were both carried in the affirmative, and a committee of 7 lords were ordered accordingly.

The same day also the said committee drew up the following Resolution, which, after reading, was agreed to: "That the king, being

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now in England, it is resolved by the lords in parliament assembled, That he may come to Newmarket, there to remain with such attendants about him as both houses of parliament shall appoint; with respect had to the safety and preservation of his person in the preservation and defence of the true religion and liberties of the kingdom: and then the two kingdoms are mutually to consider and determine what is necessary to the common peace; reserving to each their rights of exercise of their respective interests in providing for their respective securities."

Letter from the King, desiring to come to London, to treat with the Houses.] Dec. 24. The Speaker of the house of lords acquainted them, That last night a Letter was delivered to him which came from the King at Newcastle; the tenor of which was as follows:

"C. R. His majesty's thoughts being always sincerely bent to the Peace of his kingdoms, he was and will be ever desirous to take all ways which might the most clearly make appear the candor of his intentions to his people. And to this end, could find no better way than to propose a personal free debate with his two houses of parliament upon all the present differences: yet finding, very much against his expectations, that this offer was laid aside, his majesty bent all his thoughts to make his intentions fully known by a particular Answer to the Propositions delivered to him in the name of both kingdoms, the 24th of July last. But the more he endeavoured it, he more plainly saw that any Answer he could make would be subject to misinformations and misconstructions; which, upon his own paraphrases and explanations, he is most confident will give so good satisfaction, as would doubtless cause a happy and lasting Peace. Lest, therefore, that good intentions may produce ill effects, his majesty again proposeth, and desires again, to come to London, or any of his houses thereabouts, upon the public faith, and security of his two houses of parliament and the Scots commissioners, that he shall be there with honour, freedom, and safety; where, by his personal presence, he may not only raise a mutual confidence betwixt him and his people; but also have those doubts cleared, and those difficulties explained to him, without which he cannot (but with the aforesaid mischievous inconveniences) give a particular Answer to the Propositions; and with which he doubts not but so to manifest his real intentions for the settling of religion, the just privileges of parliament, with the freedom and property of the subject, that it shall not be in the power of wicked and malicious men to hinder the establishing of that firm peace which all honest men desire. Assuring them, that as he will make no other demands but such as he believes confidently to be just, and much conducing to the tranquillity of the people: so he will be most willing to condescend to them in whatsoever shall be really for their good and happiness. Not doubting likewise but you will also have a due regard to maintain the just power of the crown, according to your many protestations and professions. For certainly, except king and people have reciprocal care each of other, neither can be happy. To conclude; it is your king who desires to be heard, (the which, if refused to a subject by a king, he would be thought a tyrant for it) and for that end which all men profess to desire; wherefore his majesty conjures you, as you desire to shew yourselves really what you profess, even as you are good Christians and subjects, that you will accept this his offer, which he is confident God will so bless, that it will be the readiest means by which these kingdoms may again become a comfort to their friends, and a terror to their enemies. Newcastle, Dec. 20, 1646."

All the notice that the lords took of this Letter from the king, at this time, was, That it should be communicated to the commons by a message.

Both Houses resolve that the King shall be brought to Holdenby-House.] Dec. 31. Resolved, by the lords and commons assembled in parliament, "That Holdenby-House, in the county of Northampton, be the place which the houses think fit for the king to come unto, there to remain with such attendants about him, as both houses shall appoint; with respect had to the safety and preservation of his person in the preservation and defence of the true religion and liberties of the kingdoms, according to the Covenant. And when the king shall be at Holdenby as aforesaid, and the Scots forces gone out of this kingdom, the two houses declare, That then they will be ready, according to their former declarations for preserving the peculiar rights of the kingdom of England, to join with the kingdom of Scotland in employing their best endeavours to procure his majesty's assent to the Propositions agreed on by both kingdoms, and presented to the king at Newcastle; and to the disposing of the bishops lands, according to the ordinances already passed both houses in that behalf: and, in case the king shall not give his assent thereunto the two houses are resolved still to maintain the happy union already settled between the two kingdoms, according to treaties and the Covenant."

January 1. The lords took into consideration the above Vote, and agreed that the said vote should have a short preamble to it, then, first to send it to the Scots commissioners, and afterwards to the king. The additional preamble was this: "We your majesty's loyal subjects, the lords and commons assembled in the parliament of England, having agreed upon this following Vote, do humbly present it to your majesty." Sir Peter Killegrew was ordered by both houses to carry this vote to the king.

A Committee appointed to receive the King from the Scots Army.] Jan. 6. The commons sent up to the lords some votes and resolutions of their house, of great significancy. The

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question was first proposed in that house, Whether the king should be delivered over to major-general Skippon at Newcastle? on which the house divided, when it appeared there were 69 for, and 130 against it. After which it was resolved. "That a committee be appointed, by both houses, to go to Newcastle to receive the Person of the King from the Scots Army; and that it shall consist of members of both houses."

Their Instructions.] This being agreed to by the lords, they next read a copy of Instructions, sent up at the same time, with the names of the commissioners appointed for that purpose: viz.

INSTRUCTIONS for Philip earl of Pembroke and Montgomery, Basil, earl of Denbigh, Edw. lord Montague, sir John Coke, sir Walter Erle, sir John Holland, sir James Harrington, John Crew, esq. and major-general Brown, who are appointed to go to Newcastle, to receive the Person of the King from the Scots Army.

"You are to make your repair to Newcastle, and be there by the 23rd of this instant January, or sooner if it may be, there to receive the Person of the King from the Scots Army. 2. You are, upon your arrival there, to signify to his majesty that you are come thither to receive his person; and you are also to signify the same to the committees or commissioners of the parliament of Scotland that shall be at Newcastle, and to the general of the Scots Army. 3. When you have received him as aforesaid, you are to signify the same to both houses of parliament. 4. You are to take care that the king's person be, with convenient speed, conducted in safety to Holdenby-House, according to the vote of both houses the 1st instant; and for that purpose you are to give directions to major-general Skippon to furnish you with such horse and dragoons, of those under his command, for the same convoy, as you shall think fit, who is hereby required to appoint the same convoy accordingly; which convoy are, from time to time, to obey your orders for that service; and if you find it necessary to have a greater convoy than can be spared from those parts, then you are to send to sir Tho. Fairfax for such addition of force as shall be necessary. 5. After you have received the person of the king, you are to take care that no person that has been in arms, or assisted in this unnatural war against the parliament, nor any other but such as you shall think fit and allow of, may come, or deliver, or send unto him, any letters or messages. 6. When you are come to Holdenby, you are to give notice thereof to both houses, and receive their further order; untill which time such horse and dragoons as you shall think fit, are to remain with you and observe your orders. 7. You shall return to both houses of parliament the names of such attendants as you shall appoint to come along with the king, and also of such as you shall permit to speak with him, or to deliver, or to send any letters or messages unto him."

Jan. 9. Some small Addition was made to the above Instructions viz. That, in the second Article, the words may be thus expressed, 'You are also, after your arrival, as soon as 'you shall think convenient, to signify unto his 'majesty,' &c. It was likewise ordered, That the House at Holdenby be repaired, and provision made for the king in his journey, and when he is come to Holdenby; and that a coach be sent to meet his majesty. The sum of 2500*l.* was allowed by the commons to pay all the necessary expences, &c. of this journey: and all the persons appointed to attend the person of the king instead of his own servants, were named by parliament.

The Commons grant Gratuities to several Members for their Sufferings, Anno 3tio. Car.] Jan. 18. The house of commons had appointed a committee to consider of some proper reparation to be made to the members that were imprisoned tertio Caroli; and the report being made thereof this day, it was agreed to by the whole house. "That Mr. Hollis shall have 5000*l.* for his damages, losses, imprisonments, and sufferings, sustained and undergone by him, for his service done to the commonwealth in the parliament of tertio Caroli. * The like resolution in favour of Mr. John Selden, Mr. Walter Long, and Mr. Ben. Valentine; also to the representatives of sir John Elliot, sir Peter Heyman, and Mr. Wm. Strode. That 500*l.* be bestowed in erecting a monument to sir Miles Hobart, a member of the parliament of tertio Caroli, in memory of his sufferings for his service to the commonwealth. That Mr. Samuel Vassal shall have 10,445*l.* 12*s.* 2*d.* paid him for his losses and damages sustained in denying to pay tonnage and poundage not granted by act of parliament, in pursuance of, and obedience to, a declaration and vote of this house. That 5000*l.* be assigned to the

* In this gentleman's Memoirs we find the following remark: "I myself, for my suffering after the parliament tertio Caroli, which continued many years, cost me some thousands of pounds, and prejudiced me more, had 5000*l.* given me by the house for my reparation. I refused it, and said, I would not receive a penny till the public debts were paid. Let any of them say so much. I desire whoever shall chance to read this, to pardon me this folly, I do not mean for not taking the money, but seeming to boast of it. I must again repeat the Apostle's words, 'I am become a fool in glorying,' but they have compelled me. It is true I had paid for a fine imposed in the King's Bench, which I laid down in ready money out of my purse, a thousand marks: this, in the time of these troubles, (when my whole estate was kept from me in the West, that, for 3 years or thereabouts, I received thence not one farthing) was reimbursed to me." Memoirs, p. 140.

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representatives of Mr. Hampden, in respect of the losses, damages, and sufferings sustained by him in opposing the illegal tax of Ship-Money, and for his service therein to the commonwealth."

Letter from the Scots Parliament; with a Declaration of that Kingdom, giving their Consent to the Delivering up of the King.] Jan. 25. The Speaker acquainted the house of lords, that this morning he received a Letter from the parliament of Scotland, which was opened and read. It was addressed to the Speakers of both houses, in the usual form:

"Edinburgh, Jan. 16, 1646-7.

"Right Honourable; Our commissioners at London and Newcastle having received from the honourable houses the Vote of the 1st of January, and communicated the same to us, we have considered of it as a business of very great concernment to both nations, and therefore have concluded upon the inclosed Declaration and Desires; whereby it will appear how willing we are to comply with the Resolutions of both houses; how desirous to remove all jealousies, for strengthening the peace and union, and maintaining a good understanding betwixt the kingdoms, so firmly tied by Solemn League and Covenant; and how confident that they will satisfy our reasonable Desires, and make the integrity of our proceedings and resolutions, in all this business touching his majesty, appear, either by declaration or otherwise, as in their wisdom they shall think fit; whereby no occasion of calumny may be left to the wicked enemies of either nation; and as God has blessed the joint endeavours of both during our army's abode in that kingdom, so it will be a great encouragement for us to hope for the continuance of the same blessing for times coming, that our resolutions may be known to be one at our removing, in relation to all the ends contained in our mutual League and Covenant: and if any difficulty occur there, for gaining of time, we desire that the honourable houses may be pleased to send particular Instructions to their commissioners at Newcastle, with whom we shall authorize ours to concur for the just satisfaction of both kingdoms. We rest, your affectionate friend and servant, Crawford and Lindsay, Presid. Parl."

And likewise a Declaration of the Kingdom of Scotland and another Paper was read, viz.

"Whereas it pleased God to join the kingdom of Scotland, England and Ireland, in a Solemn League and Covenant, for reformation and defence of Religion, the honour and happiness of their king, and their own Peace and safety; and, in pursuance thereof, the Scots army being in the kingdom of England, the king's majesty came to their quarters before Newark, and professed he came there with a full and absolute intention to give all just and absolute satisfaction to the joint desires of both kingdoms; and with no thought either to continue this unnatural war any longer, or to make division between the kingdoms; but to comply with his parliaments, and those intrusted by them, in every thing for settling truth and peace; and that he would apply himself totally to the councils and advices of his parliaments; which he did not only profess verbally to the committee of estates with the Scots Army, but also, in his several Letters and Declarations, under his own hand, to the committee of estates in Scotland, and unto the two houses of parliament of England respectively: in consideration whereof, and of the reality of his intentions and resolutions, which he declared did proceed from no other ground than the deep sense of the bleeding condition of his kingdoms, the committee of the kingdom of Scotland, and general officers of the Scots army, declared to himself and to the kingdom of England, their receiving of his royal person to be in these terms (which is the truth, notwithstanding what may be suggested or alledged by any to the contrary, within or without the kingdom); and presented to him, that the only way for his own happiness and peace of his kingdoms, under God, was to make good his professions so solemnly renewed to both kingdoms: thereafter Propositions of Peace were not only (which after serious and mature deliberation were agreed upon) tendered to him in the name of both kingdoms for his royal assent thereunto; but also the chief judicatures of this kingdom, both civil and ecclesiastical, made their humble and earnest addresses to his majesty by supplications, letters, and commissioners for that end; and fully represented all the prejudices and inconveniences of the delay or refusal of his assent, and, in particular, that this kingdom would be necessitated to join with the kingdom of England, to conform to the League and Covenant in providing for the present and future security of both kingdoms, and settling the government of both, as might best conduce to the good of both. And the parliament of Scotland, being now to retire their army out of England, have again, for their farther exoneration, sent commissioners to represent their renewed desires to his majesty what danger may ensue by his delay or refusal to grant the same; and that till then there was danger to the cause, to his majesty, to this kingdom, and to the union betwixt the kingdoms, by his coming into Scotland: and that therefore there would be a joint course taken by both kingdoms, concerning the Disposal of his Person: and considering that his majesty, by his Answer to the Propositions of Peace in August last, and also by his late Message sent to the two houses, and by his warrant communicated to the estates of this kingdom, has expressed his desires to be near to the two houses of parliament: and seeing also that the parliament of England have communicated to the Scots commissioners at Newcastle, and by them to this kingdom, the resolution that Holdenby-House, in the county of Northampton, is the place where the houses think fit for the king to come unto, there to remain with such attendants about him as both houses of parliament shall appoint, with

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respect had to the safety and preservation of his royal person, in the preservation and defence of the true religion and liberties of the kingdoms according to the Covenant: Therefore, and in regard of his majesty's not giving a satisfactory Answer to the Propositions as yet, and out of their earnest desire to keep a right understanding betwixt the two kingdoms; to prevent new troubles within the same; to testify the desire of the two houses of parliament of England and of this kingdom, for his majesty's residence in some of his houses near the parliament of England; to prevent misinformation, and to give satisfaction to all the estates of the parliament of Scotland; they do declare their concurrence for the king's majesty's going to Holdenby-House, or some other of his houses in or about London, as shall be thought fit, there to remain until he give satisfaction to both kingdoms in the Propositions of Peace; and that, in the interim, there be no harm, prejudice, injury, nor violence done to his royal person; that there be no change of government other than has been for these 3 years past; and that his posterity be no ways prejudiced in their lawful succession to the crown and government of these kingdoms. And as this is the clear intention and full resolution of the kingdom of Scotland, according to their interest and duty, in relation to the king's majesty, so they are confident (from the same grounds and manifold declarations of the parliament of England) that the same is the resolution of their brethren; and at such a time they do expect a renewed declaration thereof, and that they will give brotherly and just satisfaction to the desires herewith sent, like as the kingdom of Scotland do hereby assure their brethren of England that it shall be their constant endeavour to keep, continue, and strengthen the union and peace betwixt the kingdoms, according to the Covenant and Treaties."

DESIRES of the Kingdom of Scotland.

I. "That a committee of both kingdoms be appointed to attend his majesty, and press him farther for granting the Propositions of Peace; and, in case of his refusal, to advise and determine what is further necessary for continuing and strengthening the union betwixt the kingdoms, according to the Covenant and Treaties; and that no peace or agreement be made by either kingdom, with the king, without the other, according to the late Treaty betwixt the kingdoms. 2. Next it is desired, That such of the Scots nation as have place or charge about the king, (excepting such as stand excepted in the Propositions of Peace) may attend and exercise the same: and that none shall be debarred from having access to attend his majesty, who have warrants from the parliaments of either kingdom respectively, or from the committee of either Parliament thereunto authorized. 3. It is desired that the one kingdom assist the other, in case they be troubled, from within or from without, for this agreement. 4. That the kingdom of England would speedily condescend and agree upon some competency of entertainment for the forces, which we are necessitated to keep up to suppress the Irish Rebels; whom, by the Large Treaty, they are bound to suppress. Crawford and Lindsay, Presid. Parl. Edinburgh, Jan. 16, 1646."

The lords having taken these Desires of the Scots Parliament into consideration, expressed their sense upon them in the following Resolutions: "1. That there be no harm, prejudice, injury, or violence, done to the king's royal person. 2. That there be no change of government other than has been these 3 years past. 3. That the king's posterity be in no ways prejudiced in their lawful succession to the crown and government of these kingdoms."—The question being put, That these Votes, now expressed, be sent in a letter to the kingdom of Scotland, it was resolved in the affirmative. Then the Desires of the Scots Parliament being read a second time, were agreed to.—Then it was resolved, That the Papers read this day, with the votes of this house thereupon, be communicated to the commons at a conference, and their concurrence desired therein;" which was done accordingly.

Answer sent to the Scots Parliament by both Houses.] Jan. 26. The earl of Manchester reported, That the committee were of opinion, That the expressions in the Letter, Declaration and Desires of the parliament of Scotland, was such a testimony of the fidelity of that kingdom to this, that the like was never given by any kingdom to another; and that they had framed the following Letter to be sent to the parliament of Scotland: this being read, was agreed to, ordered to be signed by the Speakers of both houses, and sent forthwith to Edinburgh by sir Peter Killegrew:

To the Right Honourable the Lords and to the Commissioners for Shires and Boroughs, assembled in the Parliament of Scotland; Jan. 27, 1646.

"Right Honourable; A letter from your lordships, dated at Edinburgh the 16th Instant, and the Papers therewith sent having been communicated to both houses of the parliament of England, we are commanded to return this Answer: they do assure their brethren of Scotland, that nothing needs to be said unto them for removing any jealousies out of their hearts, or for strengthening that confidence which they have in the affections of that nation: and they do presume that the proceedings of the houses of the parliament of England, from the very beginning of these troubles, are a sufficient declaration of their integrity, and of their constant affection to their brethren of Scotland. And to the desires of the kingdom of Scotland they do return these Answers: To the first, That when the king shall be at Holdenby, and the Scots forces gone out of this kingdom, both houses of parliament (saving, according to their former Declarations, the peculiar rights of the kingdom of England) will then appoint a committee of theirs, to join

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with a committee of the kingdom of Scotland, to employ their best endeavours to procure his majesty's assent to the Propositions agreed on by both kingdoms and presented to his majesty at Newcastle, and to the disposing of the Bishops Lands, according to the ordinance already passed both houses in that behalf. And in case the king shall not give his assent thereunto, the houses however are still resolved firmly to continue and maintain the happy union between the two kingdoms according to the Treaties and Covenant; and that according to the late treaty between the kingdoms, no cessation, nor any pacification or agreement for Peace whatsoever, shall be made by either kingdom, or the armies of either kingdom, without the mutual advice and consent of both kingdoms. To the second Desire, both houses do declare That it is not their intention, by their appointing of persons to wait upon the king in his journey to Holdenby, to make a settlement of any persons in any particular places, nor to be any prejudice to any of the king's servants that are of either nation, who have adhered to the parliaments; and that none shall be debarred from having access to his majesty who have warrant from the parliament of Scotland, or from the committee of that parliament thereunto authorized, except such as are disabled by the Propositions agreed on by both kingdoms. To the third Desire, The coming of the king, according to the votes of both houses of the parliament of England, being agreeable to the Covenant and Treaties; they do declare that, upon any troubles that shall arise to the kingdom of Scotland for the same, they will assist them according to the said Covenant and Treaties. To the fourth and last Desire, both houses return Answer, That their garrisons being delivered up, and the Scots army and forces being marched out of this kingdom, they will take this their desire into speedy consideration. This being all we have in command, from the houses, we rest your, &c."

Letters from the Commissioners appointed to receive the King from the Scots Army.] Jan. 27. The earl of Manchester presented the following Letters to the lords, all of them directed to him as Speaker of that house; which were read. And first,

A Letter from the Commissioners appointed to receive the Person of the King from the Scots Army.

"My lord; We are now all together at Durham; some of us got hither on horseback last night, others, by reason of the length of the journey and foulness of the ways, not until this day. At Northallerton, where we all arrived late the 20th of this instant January, we understood, by the earl of Stamford, Mr. Goodwin, and Mr. Ashurst, that, by reason of some difference in reckoning the days, whereof we suppose they have given you a full account, the first 100,000*l.* appointed to be paid by the Treaty, was not then received, but was delivered to the Scots the next morning, which was done in our presence; whereupon we computed that the Scots had still ten days to remove their quarters from this side the Tyne, and to quit the garrisons of Newcastle and Tinmouth; and that probably they would not remove out of their quarters, which they possess all over the bishoprick of Durham and the confining parts of Yorkshire, before the full time assigned by the treaty, according to their computation, be expired; which will be like to involve the service wherein you have employed us, concerning the reception of the King's Person, in greater difficulties and more inconveniences than were expected; whilst, upon the account of the houses, we hoped the Scots army should have removed on the north side Tyne, and the garrison of Newcastle have been delivered by the 15th of this instant January: but we shall faithfully endeavour to discharge the trust you have reposed in us in this weighty affair, according to our instructions, intending to be at Newcastle to-morrow morning; and so we remain your, &c. Pembroke and Montgomery, B. Denbigh, E. Montague. Durham, Jan. 22, 1646."

Another Letter from the same.

"My lord; We came to Newcastle on Saturday, and on Monday we sent to the king, that he would be pleased to appoint when we should wait on him, who assigned us this day between 9 and 10 in the morning; at which time my lord of Pembroke* signified to his majesty what we had in command from the parliament; whereupon the king said, 'It was 'a business of great concernment, and that it 'would take some time to give us an Answer, 'for he had Quæries to make;' and, a little before we took our leave, he said, 'He would 'send for us to-morrow or on Thursday." We likewise, this morning, according to our Instructions, signified our arrival to the Scots commissioners and general, who have as yet given us no answer. We shall speedily give your lordships a farther account, and, upon all occasions, endeavour to approve ourselves, &c." Newcastle, Jan. 26, 1646."

* "When the intelligence," says Hume, "of the final resolution of the Scottish nation to surrender him, was brought to the King, he happened, at that very time, to be playing at chess. Such command of temper did he possess, that he continued his game without interruption; and none of the by-standers could perceive that the letter he perused, had brought him news of any consequence. The English Commissioners, who, some days after, came to take him under their custody, were admitted to kiss his hands; and he received them with the same grace and cheerfulness, as if they had travelled on no other errand than to pay court to him. The old earl of Pembroke, in particular, who was one of them, he congratulated on his strength and vigour, that he was still able, during such a season, to perform so long a journey in company with so many young people."

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Another Letter from the same.

"My lord; We have already given an account, that upon Tuesday last we signified to the king, the Scots commissioners and the general, that we were come, by command of both houses of parliament, to receive his majesty's person. Yesterday we kept the Fast, and his majesty sent to let us know, that in that regard to defer his Answer until Thursday. This morning we received commands to attend him at four o'clock in the afternoon, which we did accordingly; and, after some general conferences, the king was pleased to propound some Questions, the substance whereof, and of our Answers, which were both by word of mouth, are as follow: 1. His majesty asked, 'Whether we had power to place or displace 'his servants; and what servants he was to 'have placed about him?' We answered, The houses had appointed some to attend him in his journey to Holdenby, a list of whose names we should present unto him. 2. 'Whe-'ther those which are now servants, might not 'go with him, although not wait upon him?' We answered, That if his majesty would give us the names of such as he desired should go with him in that condition, we would then acquaint his majesty whether they might or not, according to our Instructions. 3. 'Whether 'he might not speak to us severally? We answered, That if his majesty spake any thing of moment, we were to acquaint the committee with it, without which we could not discharge our trust. 4. 'Whether he was to appoint the 'time of his going?' We answered, That we desired his majesty would appoint a time: but unless it were a short time it would not consist with our Instructions, by which we were commanded to attend him with all convenient speed to Holdenby. Whereupon his majesty did declare, 'That he would go with us to Holdenby,' and nominated Monday or Tuesday to begin his journey; but being told by some of his servants, that he could not be accommodated with necessaries by that time, he appointed Wednesday, whereunto we agreed; and shall at that time be ready to wait upon him according unto our Instructions. We desire that the committee of the revenue do take care and give order that Holdenby-House be repaired and fitted for the reception of the king, and provision made of all necessaries fitting for the king in his journey, and when he is come to Holdenby, according to your own order; so we remain, &c. Newcastle, Jan. 28, 1646."

Another Letter from the same.

"My lord; We have already given your lordships an account of what the earl of Pembroke said to the king at our first waiting on him; and in our last, of the 28th instant, of the king's Questions and our Answers, which were delivered by the earl of Denbigh this day. As soon as the Scots horse, under the command of lieut. gen. Lesley, had marched through this town, there came to us the Scots commissioners and the general. The earl of Lothian then acquainted us, that they had taken their leave of his majesty, and had delivered to him a Declaration from the kingdom of Scotland, a copy whereof was also delivered to us by his lordship, which we send you here enclosed;* whereupon we immediately attended the king; and presently after the Scots guard about the court were relieved by the English, without noise or disturbance; and about the same time the keys of Newcastle were delivered to major-general Skippon. The commissioners of Scotland and the general have proceeded with that honour and candour in the managing of this affair, that we should neither do them nor ourselves right, if we did not represent it unto you. We are, &c. Newcastle, Jan. 30, 1646."

Letter from the Commissioners attending the King, concerning his Majesty's writing in Cyphers to the French Agent.] Feb. 8. The following Letter from the Commissioners attending the King was read in the house of lords:

To the Right Hon. the Earl of MANCHESTER, Speaker to the House of Peers, pro tempore.

"My Lord, Durham, Feb. 3, 1646.

"Upon Monday last there fell out an accident, whereof we think it very fit to give you this account: One Mr. Mungo Murray, formerly his majesty's servant, but never in arms, was permitted by us to take his leave of the king in the presence-chamber; and, being called aside, had a Paper put into his hand by his majesty; which being observed, upon examination he denied it not, but willingly suffered the said paper to be taken out of his pocket, wherein were written some lines all in cyphers, and directed to be by him delivered to the French Agent. Hereupon, though by his own earnest protestation, and by his ingenuity in not denying it, we had reason to believe he was surprized by the king; and although we had no express power of imprisoning contained in our Instructions, yet for deterring others from the like boldness, and for preventing of inconveniences, we thought fit to take upon us to commit him; but the earl of Lothian giving a very good testimony of him, and undertaking for his appearance at the command of the parliament; and considering in all likelihood he had no foreknowledge of his majesty's intentions, or any other design therein, we thought fit, after two days imprisonment, to release him, upon condition to render himself when and where you shall appoint. The king came this day from Newcastle to Durham, where he arrived by two of the clock in the afternoon; and the reason why we take no long journeys is to avoid such inconveniences as possibly might befall us in travelling late in the evening. Some of the Muscovia Company have importuned us for leave to move his majesty for a Letter, in his

* The Declaration of the Scots parliament, giving their consent to the king's being removed to Holdenby; see p. 541.

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name, to the emperor of Russia, the effect whereof is as follows: 1. 'An Excuse for his 'Imperial majesty's messengers not having access to the king, by reason of the hostilities 'in this kingdom. 2. To condole the death 'of the late Emperor. 3. To congratulate the 'happy enthronement of his son the present 'Emperor. 4. To desire a continuation of the 'antient league and amity betwixt the two 'crowns. 5. To desire the resettlement of 'the antient privileges formerly enjoyed by the 'English nation. 6. To recommend the person of Spencer Bretton, now resident at the 'Emperor's court, to be agent there, until his 'majesty shall send his Ambassador.' The letter proposed, being the same in substance which the parliament have expressed by two several letters to his imperial majesty, the company desires that the king's majesty will be graciously pleased to sign the same: and they alledge it to concern the trade very much, and to be no other than what hath been permitted in like case to the Turky Company; but we have referred them to your further directions, which shall be also observed, by, my lord, &c. P. S. We send your lordships here inclosed the copy of the Cypher we took from Mr. Murray."

The lords ordered that it be referred to the earls of Lincoln and Warwick, and the lord Wharton, to discover the above-mentioned Cypher; and that the Letter from the commissioners be communicated to the commons: which being done accordingly,

Feb. 9. The commons sent up a draught of an additional Instruction for Philip earl of Pembroke, and the rest of the Commissioners that had the King in custody; which was to this effect: "You are to take special care to prevent the secret conveying of any Letters, Papers, or Messages, to or from the king; and for that purpose you, or any three of you, have hereby power to examine and search all or any such persons or packets as you shall think fit. And also to secure and restrain the persons of such as you shall thereupon see cause, until the pleasure of both houses of parliament be known: and you are also, from time to time, to give notice to both houses of your proceedings therein." The lords agreed to this Instruction and declared their approbation of Mungo Murray's commitment by the commissioners.

Declaration of the Commissioners with the King, against Persons coming to be touched by his Majesty for the Evil.] Feb. 13. Another Letter from the Commissioners with the King, with a Declaration inclosed, was read, viz.

"My lord; By your lordship's letter you have been pleased to give us notice of their lordships approbation and acceptance of our endeavours to serve them: we desire that, by the same hand, our humble thanks may be returned to their lordships, with this assurance, that from so great a favour we cannot but receive encouragement to improve our services to the best advantage. The king came to Ripon on Saturday night last, where he rested upon the Lord's Day. A little before dinner many diseased persons came, bringing with them ribbons and gold, and were only touched, without any other ceremony.* We are now at Leeds, where hundreds attend in the same manner; and for that it may be of very dangerous consequence to his majesty's person and safety, and otherwise inconvenient, we have agreed to publish a Declaration, the copy of which we here inclosed send you; and if you shall think fit of any other way to prevent this inconveniency, none shall be more ready to obey your commands than Your &c. Pembroke and Montgomery, B. Denbigh Ed. Montague. Leeds Feb. 9. 1646."

The DECLARATION referred to in the foregoing Letter.

"Whereas divers people do daily resort unto the court, under pretence of having the Evil; and whereas many of them are in truth infected with other dangerous diseases, and are therefore altogether unfit to come into the presence of his majesty: these are therefore strictly to require and charge all persons whatsoever, which are diseased, not to presume hereafter to repair unto the court, wheresoever it be, upon pain of being severely punished for such their intrusion; and we do further require all sheriffs, mayors, bailiffs, constables, and other officers to see this our order published. Dated at Leeds the 9th Feb. 1646. By Command of the Commissioners appointed by both houses of parliament to attend the King's Person at Holdenby. Daniel Erle, Secretary to the Commissioners."

Feb. 15. About this time the populace began to shew a dislike against the Excise, which they had long groaned under; and this day a great tumult happened in London: the mob rising in Smithfield, pulled down the Excise-Office, and did more mischief; but, by the vigilance of the city magistrates, they were suppressed, many of them taken and sent to prison: however, on this warning, the commons thought proper to frame a Declaration of the Grounds for laying and continuing the Excise, which will appear in the sequel.

Advice of the King's Arrival at Holdenby.

* The King being delivered over by the Scots to the English commissioners, was conducted, under a guard, to Holdenby, in the county of Northampton. On his journey, the whole country flocked to behold him, moved partly by curiosity, partly by compassion and affection. If any still retained rancour against him, in his present condition, they passed in silence; while his well wishers, more generous than prudent, accompanied his march with tears, with acclamations, and with prayers for his safety. That ancient superstition likewise of desiring the king's touch in scrophulous distempers, seemed to acquire fresh credit among the people, from the general tenderness which began to prevail for this virtuous and unhappy monarch." Hume.

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House.] Feb. 18. A Letter was read from the earl of Pembroke, and the other commissioners, with advice that the king was come to Holdenby; addressed to the Speaker of the house of peers:

"My lord; Holdenby, Feb. 16. 1646. By the providence of God, which hath gone along with us from the first step to the last in this journey, the king is come well to Holdenby. Col. Greaves, who commanded the convoy, has managed his trust with great care and vigilancy, and hath performed extraordinary duty in his own person, which we hold ourselves obliged to represent unto you. We have here 900 horse and dragoons, which, quartering within a little compass, cannot but be very burthensome to the country; and therefore intreat your lordship to move the houses to give special directions for their pay. We are here now after five weeks spent in that service, attending their further orders, according to the commands laid upon us in our first Instructions. Our hope and earnest desire is, that our employment being come to this period, you will please to move their lordships to enjoin us to wait upon them at London; which we shall acknowledge a very great favour done to, My lord, &c. Pembroke and Montgomery, B. Denbigh. Ed. Montague."

Sentiments of the Contemporary Writers upon the Charge against the Scots of selling the King.] We have now gone through our account of the king's throwing himself into the hands of the Scots Army, and their delivering up his majesty's person to the parliament's Commissioners, as it stands in the Journals of both houses, a crisis of English History which has been much canvassed. Every one knows that the Scots nation have been, and still are, blamed for giving up their natural-born king, (who had fled to them for protection) into the hands of his enemies. Nay, some do not hesitate to say that he was actually sold by them. We shall, therefore, before we enter upon other matters, exhibit the Sentiments of the several Contemporary Writers relating to this transaction.

Mr. Whitlocke* tells us, 'That on the 24th of September a new committee was appointed of both houses, to treat with the Scots commissioners about disposing of the King's Person; which was purposely named to carry on the design intended: that the latter end of December there began to be an understanding between some here and the Scots, for their delivering up of the king' person to the parliament: that the king was much displeased with that nation for delivering him up; and that he also disliked going to Holdenby on account of the air: but that the Scots laid hold of his majesty's refusing to take the Covenant and to sign the Propositions, for their excuse." He adds, That the parliament at Edinburgh had voted, 'If his majesty should have thoughts of coming thither at that time, he having not subscribed the Covenant, nor satisfied the lawful desires of his subjects in both nations, they had just cause to fear the consequences of it might be very dangerous, both to him and to these kingdoms; which they desired might be timely prevented. And that if they should now receive his majesty, it would be contrary to their engagements with England and the treaties.' And that a Scots lord told the king, If he did not sign the Covenant they must give him up to the parliament of England, and it would fall heavy upon him and his posterity." In another place this Memorialist informs us, 'That the aforesaid vote was carried, in the Scots parliament, but by two voices. That the king asked the Scots Commissioners, 'Why he might 'not go into Scotland, when he came to their 'army for protection?' And they answered him, 'because he refused to sign the Covenant and Propositions; therefore they were to deliver him to the commissioners of the parliament of England, who were come to attend him to Holdenby-House.' That the king desired the English commissioners, who had then received him from the Scots, to send to the parliament, that he might have two chaplains, who had not taken the Covenant, to go with him to Holdenby. And, on their refusal, amongst some other discourse, the king, as was reported by some, said, 'That he was bought and sold."

Lord Clarendon begins with telling us* "That when the Scots had secured the peace and quiet of their own country, by getting the king to send positive orders to the marquis of Montrose for disbanding of his forces, and transporting himself beyond sea, which he obeyed: and when they had, with such solemnity and resolution, made it plain and evident that they could not, without the most barefaced violation of their faith and allegiance, and of the fundamental principles of the Christian religion, ever deliver up their native king, who had put himself into their hands, into those of the parliament, against his own will and consent: and when afterwards they began to talk sturdily, and denied that the parliament of England had power, absolutely, to dispose of the person of the king without their approbation; to which the parliament as loudly replied, That they had nothing to do in England but to observe their orders; and added such threats to their reasons, as plainly shewed they had a contempt of their power, and would exact obedience from them, if they refused to yield it. Yet, their discourses were only kept up till they could adjust all accounts between them, and agree what price should be paid for the delivery of his person, whom one side was resolved to have, and the other as resolved not to keep. Thus they agreed; and, upon the payment of 200,000*l.* in hand, and security for as much more, upon days agreed on, the Scots delivered the king up into such hands as the parliament appointed to receive him. In this infamous manner that excellent

* Memorials, p. 227.

* History of the Rebellion, vol. v. p. 34.

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prince was, in the end of January, given up by his Scots subjects."

Sir Philip Warwick, a member of this parliament, but who had been expelled for taking part with the king, expresses himself thus. * "Whilst his majesty was employed in conferences with Henderson about the order of episcopacy, the Scots knew so well how to value him, that if it be not admitted they sold him, it must be confest, they parted with him for a good price; for they were paid 400,000*l.* upon their marching from Newcastle, and delivering up of that town, as likewise Berwick and Carlisle; and were promised 200,000*l.* more to be secured upon the public faith. But if the English army had been left to themselves, and the Presbyters had not then been prevalent in parliament, the Independent party would soon have shortened the taylor's bill. And thus were extinguished, or thus vanished, those loud and public assertions the Scots had made, That they would not do so base an act, as to render up their prince's person, who was come to them for safety in so great a danger; and that this act could not consist with their duty or allegiance, or Covenant, or with the honour of their army; it being contrary to the law and common practice of all nations, in the case even of private men; which Loudon, their chancellor, publickly made profession of at a conference of the two houses at Westminster. But at last silver out-weighed all these considerations, and the king was delivered up into the hands of the two houses commissioners, and brought to Holdenby-House in Northamptonshire, and denied his own chaplains and servants to be about him: a true Presbyterian Spirit."

Another Writer, who lived in these unhappy times, remarks,† "That the Propositions, sent to the king by the parliament, were the same dethroning ones which they used to send, and therefore he would not assent to them. Nor did the Scots swallow them at first, but made some exceptions against them, only, it seems, to make the parliament perceive they meant not to put the king into their hands gratis; so at last the bargain was made between them, and upon payment of 200,000*l.* the king was put into the hands of the commissioners which the English parliament sent down to receive him." He adds; "That this action bore the vile complexion of feigned religion, very covetousness, cowardice, perjury and treachery."

On the other side, Mr. Hollis,‡ who appears, by the Journals, to have been a Teller almost in every Division of the house relating to the Scots, intirely acquits them from this infamous charge. His account of this affair runs thus:

"The Scots had cause enough to have their jealousy prompt them that it was not safe for them to depart with their army, lay by their swords, and leave standing in this kingdom so great a force, which they knew to be so ill affected to them, and might act to their prejudice; and, the king being in their power, perhaps force both him and the parliament to a peace disadvantageous to Scotland, and differing from those grounds, upon which, by the kingdom of England, they were engaged in this quarrel; or else make no peace at all, but interpose (as Cromwell to the earl of Manchester) to hinder it; and themselves govern by the sword, not only to the prejudice of Scotland, but also ruin of England. The Scots had no thoughts but of settling a Peace, laying down of arms, calling the people, and all things, to revert into their old channel; therefore they were willing to be gone and return into their own country, in confidence that, after their departure, the army under sir Thomas Fairfax should likewise presently be disbanded, since there was no more need of any army at all; so they were willing to go. But then the question was, If they would go or not, and how the soldiers would be disposed to march out, who had not been paid for so many months, insomuch as the Scots commissioners gave in an account of 800,000*l.* arrears. Here our gallants (the Independents) hoped they had them upon the hip, and should surely give them a fall. Then they thrust on some of their little Northern beagles, as Mr. Blaxton, and others, to inform what high sums they had raised upon the country; upon which they conclude the Scots Army was in their debt, and therefore they would come to an account with them, which had been a sure way to have kept them in the kingdom 5 or 6 months longer. But to help that, our just pay-masters said, The army should march away, and some persons be left behind to see all accounts adjusted; which had required very good rhetorick to have made it justice, especially to have appeared so to the Scots soldiers: for to have sent them away without money, and then asked the countryman what the soldiers had taken, when he might say what he thought good, the soldier not there to answer for himself, and yet his pay to be thereby determined, would have been but hard measure. But the rhetorick had been, for sir Thomas Fairfax to have gone down with his army, which should have made it just and easy, and every thing; for this was it they (the Independents) desired to bring it to, as it was often moved and pressed by them. At last the well-wishers to peace, with much ado, prevailed in the house, and it was carried to offer the Scots a gross sum for all; so to part fair, and avoid the delay and disputes of an account; to which they presently agreed. Then the question was what sum. Here again we had a strong debate; for our incendiaries hung by every twig, sticking fast to their principles to dissatisfy the Scots, and break with them, if possible, upon any point;

* Memoirs of the Reign of King Charles I. London 1701, p. 295.

† The History of the Civil Wars of England, from 1640 to 1660, by Thomas Hobbes of Malmesbury.

‡ Memoirs, p. 68 to 69.

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pretending the poverty of the kingdom and the great sums the Scots had raised; and therefore they would give but 100,000*l* which they knew was all one with a hundred shillings, as to the satisfying of the soldiers for marching away. In the end, after many debates in the house, and passages to and again with the Scots commissioners, the lowest sum that could be agreed unto by the commissioners was 400,000*l*. two in hand, and the other two after some time; with a protestation of theirs, that the army would not be satisfied with less, nor enabled to march, which was motive enough for these men to deny it; for if they could have wrought the dissatisfaction of the army, so as to have refused to go, it was where they would have it. Whereupon it was opposed by them with all the power they had; but in the end the better part, that is the moderate party, who were the peace-makers, those that laboured to keep things even and fair between the two kingdoms, carried it; and the sum was voted, and all things agreed upon, though with difficulty; (for they fought it out and lost it by inches) then the Scots declared they would march out by such a day.—Yet had our Boutefeus one hope left, which was to quarrel at last about the Person of the King; believing the Scots would certainly have taken his majesty with them into Scotland. This they knew had been ground sufficient, and would have engaged all England against them, giving a confirmation to all the jealousies formerly raised, and occasioned a thousand more; and had certainly more advantaged the designs of those who thirsted after the destruction of the king first, the Scots next, and then all such as desired peace within this kingdom; and have made them a smoother way to their damnable ends, the altering of the government, and bringing in a confusion both in church and state, than any thing that could have happened; and the two kingdoms had been together in blood, the author of the mischief undiscovered, masked over with the glorious pretences of zealously vindicating the honesty and interest of England, and every breach of covenant and treaty in this cause; which made them with so much peremptoriness and incivility, and in truth injustice, demand that the Scots would deliver up his majesty, who had an equal interest in his royal person with the kingdom of England, he being equally king of both; and an equal interest in the closing and binding up the unhappy differences which were between him and both his kingdoms, they having been engaged in that quarrel at the entreaty of England; and made up together an intire body with England, as is before shewed, for the prosecution of it: therefore they had no more reason to trust us with the king than we had them, and as much were they concerned in all that related to his majesty's person; so as they had ground enough to have disputed it, and out of that hope was it pressed by the others. But the wisdom of the Scots nation foresaw the inconveniences which must have necessarily followed, had they been positive at that time, how they had played their enemies game to their own ruin, and even ruin to his majesty: therefore they made for him the best conditions they could, that is, for the safety and honour of his person; and, to avoid greater mischiefs, were necessitated to leave him in England; and so marched away, which they did in February 1646.—Here then the very mouth of iniquity was stopped, malice itself had nothing to say to give the least blemish to the faithfulness and reality of the kingdom of Scotland, and the clearness of their proceedings; their zeal for peace, without self-seeking and self-ends, to make advantage of the miseries and misfortunes of England."

Mr. Rushworth acts in this affair as a collector only, making few or no reflections on the conduct of the English and Scots at this particular crisis; for, after giving a copy of a Letter from the parliament of Scotland to that at Westminster, to which a Declaration from that kingdom was subjoined, (see p. 541), containing, as he remarks, their full consent to the delivering up the king, this historian proceeds to tell us,* "That the commissioners who were to receive the king came to Newcastle, on the 23d of January, to whom his majesty gave the honour of kissing his hand; and the earl of Pembroke told his majesty, They were commanded by both houses of parliament to attend him to Holdenby; at which his majesty did not seem at all surprized, but inquired how the ways were. On the 28th of January the Scots lords being all with his majesty, he told them, He had often desired to go into Scotland; that he came into their army for protection, and had it, but now perceived they were not willing he should go to Edinburgh; and they being to deliver up the garrisons, he desired to know how they would dispose of him; and for that end required them to withdraw, and consider to whom they would deliver him, which they did; and coming in again, they told his majesty, That they had considered of his speech; and that since his majesty had refused to take the Covenant and sign the Propositions, they were to deliver him to the commissioners of both houses of parliament of England, who were come to attend him to Holdenby. On Saturday the 30th of January the Scots marched out of Newcastle, Skippon took possession of it, and the parliament's commissioners received the king into their charge; soon after they set forwards with him to Durham, and so on to Holdenby, being met by the way by sir Thomas Fairfax, who kissed his majesty's hand, and, having conducted his majesty through Nottingham, took his leave very respectfully; and so his majesty was brought to Holdenby, where he arrived on Tuesday the 16th of February."†

* Collections, vol. vi. p. 398.

† To the sentiments of the above-quoted contemporary Historians, we shall add the following reflections of Mr. Hume, upon this

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And now, leaving it to the reader's judgment to determine, from the foregoing extracts of the Journals of both houses, how far these contemporary writers have been led by truth or prejudice, we proceed to the subsequent transactions of parliament.

The King desires that some of his Chaplains may attend him at Holdenby.] Feb. 19. Another Letter came from the commissioners at Holdenby, with one inclosed in it from the king, which was read in these words:

To the SPEAKER of the House of Peers pro tempore, to be communicated to the Lords and Commons in Parliament assembled at Westminster.

"C. *R.* Holdenby, Feb. 17, 1646.

"Since I have never dissembled nor hid my conscience, and that I am not yet satisfied with those alterations in Religion to which you desire my consent, I will not lose time in giving Reasons, which are obvious to every body, why it is fit for me to be attended by some of my Chaplains, whose opinions, as clergymen, I esteem and reverence; not only for the exercise of my conscience, but also even for clearing my judgment concerning the present differences in Religion, as I have more fully declared to Mr. Marshall and his fellow minister; having shewed them that this is the best and likeliest means of giving me satisfaction; which, without it, I cannot have in these things, whereby the distractions of this Church may be the better settled; wherefore I desire that at least two of those reverend divines, whose names I have here set down, may have free liberty to wait upon me, for the discharging of their duty to me according to their function, viz. The bishop of London,* the bishop of Salisbury,† the bishop of Peterborough,‡ Dr. Sheldon, clerk of my closet, Dr. Marshe, dean of York, Dr. Saunderson, Dr. Bailey, Dr. Fuller, Dr. Hammond, Dr. Heywood, Dr. Beal, Dr. Taylor."

The lords resolved to take this Letter of the King's into consideration the next morning. Notwithstanding which, we do not find that they took any further notice of it this month.

March 8. The commons voted, "That no member of that House should have any command in the garrisons or forces under sir Tho. Fairfax: That there be no officer above a colonel: that they should all take the Covenant: that none who had borne arms against the parliament should be in command: that they should all conform to the established church." This last occasioned a debate and a division of the house, but was carried for it by 136 against 108.—Then it was resolved, That no profane curser or swearer, drunkard or whoremaster, or otherwise scandalous in life or conversation, shall be employed as an officer in any of the garrisons or forces that are to be kept up in the kingdom of England.

The business of reducing the army had been debated, on the 19th ult. in the commons; and the question being put, Whether there should be a number of foot kept up, at the pay of the kingdom, more than what would be sufficient for the keeping of such garrisons as should be continued? the house divided, and it passed in the negative, 158 against 148. After which vote the house proceeded to order the dismantling and slighting the works and garrisons of several cities and towns, many castles and forts, in England, Wales, &c. amounting, in all, to a very great number.

A second Letter from the King, desiring the Attendance of his Chaplains.] March 8. The Speaker presented to the house of lords some letters he had received from the earl of Denbigh, &c. with another Letter inclosed from the King, was read: as follows:

"C. *R.* It being now 17 days since I wrote

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subject: "Great pains were taken by the Scots (and the English complied with their pretended delicacy) to make this estimation and payment of arrears appear a quite different transaction from that for the delivery of the king's person: but common sense requires, that they should be regarded as one and the same. The English, it is evident, had they not been previously assured of receiving the king, would never have parted with so considerable a sum; and while they weakened themselves, by the same measure have strengthened a people, with whom they must afterwards have so material an interest to discuss. Thus the Scottish nation underwent, and still undergo (for such grievous stains are not easily wiped off), the reproach of selling their king, and betraying their prince for money. In vain did they maintain, that this money was, on account of former services, undoubtedly their due; that in their present situation, no other measure, without the utmost indiscretion, or even their apparent ruin, could be embraced; and that, though they delivered their king into the hands of his open enemies, they were themselves as much his open enemies as those to whom they surrendered him, and their common hatred against him had long united the two parties in strict alliance with each other. They were still answered, that they made use of this scandalous expedient for obtaining their wages; and that, after taking arms, without any provocation, against their sovereign, who had ever loved and cherished them, they had deservedly fallen into a situation, from which they could not extricate themselves, without either infamy or imprudence. The infamy of this bargain had such an influence on the Scottish parliament, that they once voted, that the king should be protected, and his liberty insisted on. But the general assembly interposed, and pronounced, that, as he had refused to take the covenant, which was pressed on him, it became not the godly to concern themselves about his fortunes. After this declaration, it behoved the parliament to retract their vote."

* Dr. William Juxon. † Dr. Brian Duppa. ‡ Dr. John Towers.

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unto you from hence, and not receiving any Answer to what I then desired, I cannot but now again renew the same unto you: and indeed concerning any thing but the necessary duty of a Christian, I would not thus, at this time, trouble you with any of my desires; but my being attended with some of my Chaplains, whom I esteem and reverence, is that which is so necessary for me, even considering my present condition, whether it be in relation to my conscience, or a happy settlement of the present distractions in Religion, that I will slight divers kinds of censures rather than not obtain what I demand; nor shall I do you the wrong as in this to doubt the obtaining of my wish, it being totally grounded upon reason; for desiring you to consider, not thinking it needful to mention, the divers Reasons, which no Christian can be ignorant of, for point of conscience, I must assure you that I cannot, as I ought, take into consideration those alterations in Religion, which have been, and will be offered unto me, without such help as I desire; because I can never judge rightly of, or be altered, in, any thing of my opinion, so long as any ordinary way of finding out the truth is denied me: but when this is granted me, I promise you faithfully not to strive for victory in argument, but to seek and to submit to truth, according to that judgment which God hath given me; always holding it my best and greatest conquest to give contentment to my two houses of parliament in all things which I conceive not to be against my conscience or honour; not doubting likewise but that you will be ready to satisfy me in reasonable things, as I hope to find in this particular, concerning the attendance of my Chaplains upon me. Holdenby March 6, 1646."

Which is denied him.] The question being put, Whether their lordships will allow any of that number which the king desires, in his list, to go down to him to Holdenby, to reside there for 20 days: it was resolved in the affirmative. And the King's Letter was ordered to be sent down to the house of commons. The lords also appointed a committee of their house to draw up an Answer to his majesty's Letter, according to the sense of that house, That if the king thought fit to admit such of his Chaplains, as had taken the Covenant, they were inclined to give them leave. But the commons were more explicit than the lords in this affair; and absolutely voted, "That no persons should be employed about the person of the king, in any capacity, or be admitted to have access to him, but such only as have continued with the parliament and adhered thereto; and had testified their good affections to the parliament and their cause, and had taken the national League and Covenant."*

* "That which most displeased the king," says lord Clarendon, "was, that they would not permit him to have his own Chaplains; but ordered Presbyterian Ministers to attend Divine Service, and his majesty, utterly refusing to be present at their devotions, was compelled at those hours to be his own chaplain in his bed-chamber; where he constantly used the Common-Prayer by himself. His majesty bore this constraint so heavily, that he writ a letter to the house of peers, in which he inclosed a list of the names of thirteen of his Chaplains; any two of which he desired might have liberty to attend him for his devotion. To which, after many days consideration, they returned this Answer; 'That all those Chaplains were disaffected to the Established Government of the Church, and had not taken the Covenant; but that there were others who had, who, if his majesty pleased, should be sent him.' After this Answer, his majesty thought it to no purpose to importune them farther in that particular; but, next to the having his own Chaplains, he would have been best pleased to have been without any; they who were sent by them, being men of mean parts, and of most impertinent and troublesome confidence and importunity."

A Petition from several Officers of the Army to the House of Lords.] March 25. The next remarkable transaction of this month is a Petition from some Officers of the Army to the lords, which is the first we have met with presented from that quarter: viz.

To the Right Hon. the Lords in Parliament assembled: The Humble PETITION of Colonels, Lieutenant-Colonels, Majors, and other Officers that have faithfully served the great Cause of the Kingdom, under the Authority of the Parliament,

"Sheweth; That your Petitioners having faithfully served you in the maintenance and settlement of Religion, according to the tenor of the national Covenant taken by them, of the Liberty of the Subject, and of the Privileges of Parliament, in the times of the kingdom's greatest exigence, which were the principal ends for which they were at first engaged; they cannot but hold themselves bound in honour and conscience, in concurrence with many others, to tender to your honours consideration such things as they, in all submission, conceive exceedingly conducing to the speedy effecting of the said ends, together with their own sad and neglected condition; humbly desiring your honours favourable construction of their good intentions therein, with an opportune and timely Answer unto these ensuing particulars, viz. 1. That the public worship of God may speedily be settled according to the Word of God, and the example of the best reformed churches. 2. That the subject may have the benefit of Magna Charta, and the Petition of Right, so far forth as may comport with the necessities of the kingdom. 3. That all committees in the several counties may be removed; and that the treasurers and sequestrators of the said counties may be called to a speedy and strict account, for the better satisfaction and ease of the kingdom. 4. That such offi-

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cers as have served under any general command, may have the accounts of their arrears speedily audited in London; and that a special order may be issued to the several committees of accounts residing in other counties, forthwith to audit the accounts of such officers as have been subservient to the orders of the committees of the said counties. 5. That such Pay as shall appear due unto the said officers, under the hands of committees of accounts, according to the establishment, may be forthwith paid unto them, with interest; that the Ordinance upon the Bishops Lands, with the security of the Excise, may be revived for the discharge thereof; and that such part as is respited on the public faith, may be discharged, with interest, at the end of 6 months, deducting the surcharges of the several counties; and that an order may be issued to the said several counties to bring in their surcharge within the time of 3 months, or otherwise that they shall not be charged to our accounts; that so all of us may not be utterly ruined, as some of us already are, by tedious and long solicitations, nor your justice blemished through our necessities and sufferings. 6. That all such Officers and Soldiers as have contracted any debts since this war begun, in order to the carrying on of the public service, either by want of the payment of their due salary, or by reason of their own disbursements, may have their persons freed from all process, arrests, or molestation until their arrears shall be discharged; and that then their creditors shall be proportionably satisfied, and the said officers left to the usual course and full power of the law as formerly. 7. That an act of indemnity may be passed for all Officers and Soldiers, for such actions as have been done by them in reference to the public service since the beginning of this war. 8. That all such Officers as have lost the benefit of their estates, and have disbursed divers sums of money for raising men, horses, arms, or ammunition, or in the managing their public trust, shall be considered for their said losses, and allowed for the said disbursements, upon just proof thereof made before the committees of accounts; and that the said committees shall have special order given them to audit such disbursements when they shall be brought unto them. 9. That not forgetting your honours tender care of the sad condition of bleeding Ireland, and that nothing may be wanting on our parts towards the promoting of so honourable and pious a work, some of us have engaged ourselves already, and the rest are most ready to contribute their best assistance thereunto, even as your honours shall be pleased to command us. And, in pursuance of a full establishment of the particulars aforesaid, as in your great wisdoms shall be thought most convenient, your petitioners do offer their utmost service and assistance, with their lives and fortunes, and shall ever pray, &c. T. Essex, Rd. Sandys, Mat. Alured, Francis Goffe, Nich. Devereux, James Midhope, Tho. Caryl, Tho. Covell, John Butler, colonels; Jeremiah Baines, James Baker, Rt. Wiltshire, Wm. Forcy, Wm. Warneford, lieut. colonels."

The officers who subscribed this Petition were all called in again, and had for Answer, "That the house gave them thanks for their good affections to them, and their services to the kingdom and parliament; and they take it well concerning their offer for Ireland: and as to their arrears, their lordships will do their parts, and will take their Petition into consideration."

On the same day a copy of the above Petition was presented to the house of commons by the same Officers, to whom the house sent out four of their members with the following Answer: "That, as to their Arrears, the house had and would take them into consideration, with others, in such manner as they should think fit, as well as their desires of employment. That as to the rest of the Petition, about the Management of public Affairs, it did not concern any persons to give instructions to the houses therein; yet, in consideration the petitioners were men that had done service to the parliament, and, in regard of their professions, and that they might have done this merely out of inadvertency, they were willing to pass it by."

Petition and Representation from the Army to Sir T. Fairfax.] March 30. The house of lords were informed, by some officers who came to offer themselves volunteers for the Irish service, of a Petition handed about in the Army, to be signed and delivered to sir Tho. Fairfax, their General; a copy of which was shewn and read to the lords in these words:*

To his Excellency sir THOMAS FAIRFAX, Knt. General of the Parliament's Forces: The HUMBLE PETITION of the OFFICERS and SOLDIERS of the Army under your Command,

"Sheweth; That, ever since our first engaging in this service, for preserving the power

* The following succinct account of the origin of the commotions in the Army, as given by Mr. Hume, will throw considerable light upon the subsequent proceedings of both houses: "In proportion as the terror of the king's power diminished, the division between independent and presbyterian became every day more apparent; and the neuters found it at last requisite to seek shelter in one or the other faction. Many new writs were issued for elections, in the room of members who had died, or were disqualified by adhering to the king; yet still the presbyterians retained the superiority among the commons: and all the peers, except lord Say, were esteemed of that party. The independents, to whom the inferior sectaries adhered, predominated in the army: and the troops of the new model were universally infected with that enthusiastic spirit. To their assistance did the independent party among the commons chiefly trust, in their pro-

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of the kingdom in the hands of the parliament, we have, in our several places, served them with all faithfulness; and although we have lain under many discouragements for want of pay and other necessaries, yet have we not disputed their commands, disobeyed their orders, nor disturbed them with Petitions; nor have there any visible discontents appeared amongst, us, to the encouragement of their enemies, and the impediment of their affairs; but have, with all chearfulness, done summer service in winter seasons, improving the utmost of our abilities in the advancement of their service: and seeing God hath now crowned our endeavours with the end of our desires, viz. the dispersing of their public enemies, and reducing them to their obedience, the king being now brought in; our brethren the Scots satisfied and departed the kingdom; all dangers seemingly blown over, and peace in all their quarters; we, emboldened by their manifold promises and declarations to defend and protect those that appeared and acted in their service, do herewith humbly present to your Excellency the humble Representation of our Desires annexed; which we humbly beseech your excellency to recommend, orrepresent, in our behalf to the parliament. And your Petitioners shall honour and pray for your Excellency."

The HUMBLE REPRESENTATION of the DESIRES of the OFFICERS and SOLDIERS of the Army under the Command of his Excellency sir THOMAS FAIRFAX, presented first to his Excellency, to be, by him, represented to the Parliament.

I. "Whereas the necessity and emergency of

jects for acquiring the ascendant over their antagonists. Soon after the retreat of the Scots, the presbyterians, seeing every thing reduced to obedience, began to talk of diminishing the army: and, on pretence of easing the public burdens, they levelled a deadly blow at the opposite faction. They proposed to embark a strong detachment, under Skippon and Massey, for the service of Ireland: they openly declared their intention of making a great reduction of the remainder.* It was even imagined that another new model of the army was projected in order to regain to the presbyterians that superiority which they had so imprudently lost by the former. The army had small inclination to the service of Ireland; a country barbarous, uncultivated, and laid waste by massacres and civil commotions: they had less inclination to disband, and to renounce that pay, which, having earned it through fatigues and dangers, they now purposed to enjoy in ease and tranquillity. And most of the officers, having risen from the dregs of the people, had no other prospect, if deprived of their commission, than that of returning to languish in their native poverty and obscurity. These motives of interest acquired additional influence, and became more dangerous to the parliament, from the religious spirit by which the army was universally actuated. Among the generality of men, educated in regular, civilized societies, the sentiments of shame, duty, honour, have considerable authority, and serve to counterbalance and direct the motives derived from private advantage: but, by the predominancy of enthusiasm among the parliamentary forces, these salutary principles lost their credit, and were regarded as mere human inventions, yea moral institutions, fitter for heathens than for Christians. The saint resigned over to superior guidance, was at full liberty to gratify all his appetites, disguised under the appearance of pious zeal. And, besides the strange corruptions engendered by this spirit, it eluded and loosened all the ties of morality, and gave entire scope, and even sanction, to the selfishness and ambition which naturally adhere to the human mind. The military confessors were farther encouraged in disobedience to superiors, by that spiritual pride to which a mistaken piety is so subject. They were not, they said, mere janizaries; mercenary troops inlisted for hire, and to be disposed of at the will of their paymasters. Religion and liberty were the motives which had excited them to arms; and they had a superior right to see those blesssings, which they had purchased with their blood, ensured to future generations. By the same title that the presbyterians, in contradistinction to the royalists, had appropriated to themselves the epithet of Godly, or the Well-affected, the independents did now, in contradistinction to the presbyterians, assume this magnificent appellation, and arrogate all the ascendant which naturally belongs to it. Hearing of parties in the house of commons, and being informed that the minority were friends to the army, the majority enemies; the troops naturally interested themselves in that dangerous distinction, and were eager to give the superiority to their partisans. Whatever hardships they underwent, though perhaps derived from inevitable necessity, were ascribed to a settled design of oppressing them, and resented as an effect of the animosity and malice of their adversaries. Notwithstanding the great revenue, which accrued from taxes, assessments, sequestrations, and compositions, considerable arrears were due to the army; and many of the private men, as well as officers, had near a twelvemonth's pay still owing them. The army suspected, that this deficiency was purposely contrived in order to oblige them to live at free quarters: and by rendering them odious to the country, serve as a pretence for disbanding them. When they saw such members as were employed in committees and civil offices, accumulate fortunes, they accused them of rapine and public plunder. And, as no plan was pointed out by the commons for the pay-

* "Fourteen thousand men were only intended to be kept up; 6000 horse, 6000 foot, and 2000 dragoons." Bates.

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the war hath put us upon many actions which the law could not warrant, nor we have acted, in a time of settled peace; we humbly desire that, before the time of our disbanding, a full and sufficient provision may be made by ordinance of parliament, (to which the royal assent may be procured) for our indemnity and security in all such services.—II. That auditors, or commissioners, may be speedily appointed and authorized to repair to the head quarters of this army, to audit and state our accounts, as well as our former services in this army; and that, before the disbanding of the army, satisfaction may be given to the petitioners for their arrears; that so the charge, trouble, and loss of time, which we must necessarily undergo in attendance for attaining of them, may be prevented (we having had experience that many have been reduced to miserable extremity, even almost starved for want of relief, by their tedious attendance); and that no officer may be charged with any thing in his account that doth not particularly concern himself. III. That those who have voluntarily served the parliament in the late wars, may not hereafter be compelled, by press or otherwise, to serve as soldiers out of this kingdom; nor those that have served as horsemen may be compelled, by press or otherwise, to serve on foot in any future case. IV. That such in this army as have lost their limbs, and the wives and children of such as have been slain in the service, and such officers and soldiers as have sustained losses, or have been prejudiced in their estates, by adhering to the parliament, or in their persons, by sickness or imprisonment under the enemy, may have such allowance and satisfaction as may be agreeable to

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ment of arrears, the soldiers dreaded, that, after they should be disbanded or embarked for Ireland, their enemies, who predominated in the two houses, would entirely defraud them of their right, and oppress them with impunity. On this ground or pretence did the first commotions begin in the army. A petition, addressed to Fairfax the general, was handed about; craving an indemnity, and that ratified by the king, for any illegal actions, of which, during the course of the war, the soldiers might have been guilty; together with satisfaction in arrears, freedom from pressing, relief of widows and maimed soldiers, and pay till disbanded. The commons, aware of what combustible materials the army was composed, were alarmed at this intelligence. Such a combination, they knew, if not checked in its first appearance, must be attended with the most dangerous consequences, and must soon exalt the military above the civil authority. Besides summoning some officers to answer for this attempt, they immediately voted, that the petition tended to introduce mutiny, to put conditions upon the parliament, and to obstruct the relief of Ireland; and they threatened to proceed against the promoters of it, as enemies to the state, and disturbers of public peace. This declaration, which may be deemed violent, especially as the army had some ground for complaint, produced fatal effects. The soldiers lamented, that they were deprived of the privileges of Englishmen; that they were not allowed so much as to represent their grievances; that, while petitions from Essex and other places were openly encouraged against the army, their mouths were stopped; and that they, who were the authors of liberty to the nation, were reduced, by a faction in parliament, to the most grievous servitude. In this disposition was the army found by Warwic, Dacres, Massey, and other commissioners, who were sent to make them proposals for entering into the service of Ireland. Instead of inlisting, the generality objected to the terms; demanded an indemnity; were clamorous for their arrears: and, though they expressed no dissatisfaction against Skippon, who was appointed commander, they discovered much stronger inclination to serve under Fairfax and Cromwell. Some officers, who were of the presbyterian party, having entered into engagements for this service, could prevail on very few of the soldiers to inlist under them. And, as these officers lay all under the grievous reproach of deserting the army, and betraying the interests of their companions, the rest were farther confirmed in that confederacy, which they had secretly formed. To petition and remonstrate being the most cautious method of conducting a confederacy, an application to parliament was signed by near 200 officers; in which they made their apology with a very imperious air, asserted their right of petitioning, and complained of that imputation thrown upon them by the former declaration of the lower house. The private men likewise of some regiments sent a letter to Skippon; in which, together with insisting on the same topics, they lament, that designs were formed against them and many of the godly party in the kingdom; and declare, that they could not engage for Ireland, till they were satisfied in their expectations, and had their just desires granted. The army, in a word, felt their power, and resolved to be masters. The parliament too resolved, if possible, to preserve their dominion; but being destitute of power, and not retaining much authority, it was not easy for them to employ any expedient which could contribute to their purpose. The expedient which they now made use of, was the worst imaginable. They sent Skippon, Cromwell, Ireton, and Fleetwood, to the head-quarters at Saffron Walden in Essex; and empowered them to make offers to the army, and inquire into the cause of its distempers. These very generals, at least the three last, were secretly the authors of all the discontents; and failed not to foment those disorders, which they pretended to appease. By their suggestion, a measure was embraced, which, at once, brought matters to extremity, and rendered the mutiny incurable."

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justice and equity. V. That, till the Army be disbanded as aforesaid, some course may be taken for the supply thereof with monies, whereby we may be enabled to discharge our quarters; that so we may not, for necessary food, be beholden to the parliament's enemies, burthensome to their friends, or oppressive to their countries, whose preservation we always have endeavoured, and in whose happiness we do still rejoice."

Declaration of the Parliament thereupon.] Some other Evidences being also read, to prove that this affair was warmly carrying on in the Army, the parliament thought proper to be beforehand with them; and thereupon ordered the following Declaration to be printed and published, and a number of copies thereof sent down in a Letter to sir Thomas Fairfax:

"The two houses of parliament having received information of a dangerous Petition, with a Representation annexed, tending to put the army into a distemper and mutiny, to put conditions upon the parliament, and obstruct the relief of Ireland, which hath been contrived and promoted by some persons in the army; they do declare their high dislike of that Petition, their approbation and esteem of their good service who first discovered it, and of such officers and soldiers as have refused to join in it; and that for such as have been abused, and, by the persuasions of others, drawn to subscribe it, if they shall for the future manifest their dislike of what they have done, by forbearing to proceed any further therein, it shall not be looked on as any cause to take away the remembrance and sense the houses have of the good services they have formerly done; but they shall be still retained in their good opinion, and shall be cared for with the rest of the army, in all things necessary and fitting for the satisfaction of persons that have done so good and faithful service; and as may be expected from a parliament so careful to perform all things appertaining to honour and justice: and, on the other side, it is declared, That all those who shall continue in their distempered condition, and go on in advancing and promoting that Petition, shall be looked upon, and proceeded against, as enemies to the state, and disturbers of the public peace."

This Declaration is expunged in the Commons Journals, and this Note inserted in the margin, 'Deletur per Ordinem tertii Junii, 1647. sedente Curiâ. H. E.' The reasons for which will appear in the sequel.

April 2. The lords received an Answer, from the General, to their Letter and the foregoing Declaration, which was also read as follows:

For the Right Hon. the earl of MANCHESTER.

"My lord; Walden, March 30, 1647,

"I received your lordship's letter, with the Declaration of both houses of parliament, and shall take care for sending copies thereof into the several regiments of the army, for the speedy suppressing of the Petition; notwithstanding I had before commanded the recall thereof, and given orders for stopping any further proceedings in the same; assuring your lordships, by the good assistance of God, neither that Petition, nor any other thing, should have come through my hands to the parliament, which should have the least countenance of disobedience, or appear in such a dress as might not be fit for the justice and honour of that eminent judicature to look upon: but not to trouble your lordship any longer, I take leave to rest Your &c. Tho. Fairfax."

The Army's Petition to the Commons vindicating their late Representation to General Fairfax.] April 27. Some Officers of the Army presented to the house of commons, on behalf of themselves and the rest of their brethren, a Vindication of the particulars in their late Petition, which was introduced in the following manner:

To the Honourable the House of COMMONS assembled in Parliament; The HUMBLE PETITION of the OFFICERS of the Army under the Command of his Excellency sir Thomas Fairfax, on Behalf of themselves and the Soldiers of the Army,

"Humbly sheweth; That your Petitioners being sensible of some displeasure in this honourable house against them, through some misinformation concerning the carriage and managing of a late Petition in the Army, do humbly offer unto your consideration the Paper annexed, for the better clearing of our intentions: humbly desiring your favourable construction and acceptance of what is therein contained, according to the integrity with which it is presented. And your Petitioners shall pray, &c."

The VINDICATION of the OFFICERS of the Army under sir Thomas Fairfax.

"The misrepresentations of us and our harmless intentions to this honourable house, occasioning hard thoughts and expressions of your displeasure against us, we cannot but look upon as an act of most sad importance; tending, in our apprehensions, to alienate your affections from your ever trusty and obedient army; than which nothing can more rejoice your adversaries, or minister greater hopes of their re-advancement: nothing more discouraging to us, who should esteem it the greatest point of honour to stand by you till the consummation of your work, the removal of every yoke from the people's necks, and the establishment of those good laws you shall judge necessary for the common-wealth.—Out of our fears therefore of the advantage that may be had therefrom, and that the honourable house may retain the same good opinion of us they formerly had, (whom God hath hitherto blessed with abundant blessings) we humbly crave the boldness to present unto you some Reasons, to clear our proceedings in those passages which we find most obvious to exceptions in our Petition: whereby we hope to make it evident to

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you, that we did no more than what necessity prompted us unto: that the means that was used, and the method we took was, as we conceived, most orderly and inoffensive, proceeding not in the least from distemper, and aiming in no measure at mutiny, nor in any wise to put conditions on the parliament; and that you will from thence discover the corruptions of those men's hearts, who have been the evil instruments of occasioning your late Declaration against us.—For our liberty of petitioning, we hope this honourable house will never deny it unto us; we know not any thing more essential to freedom, without which grievances are remediless, and our condition most miserable. You have not denied it to your adversaries; you justified and commended it in your Declaration of the second of November 1642, in these words, 'It is the liberty and privilege of the 'people to petition unto us for the ease and 'redress of their grievances and oppressions, 'and we are bound in duty to receive their Pe-'titions.' And we hope, by being soldiers, we have not lost the capacity of subjects, nor divested ourselves thereby of our interests in the common-wealth; that in purchasing the freedoms of our brethren, we have not lost our own. Besides, we can instance petitions from officers in the earl of Essex's and sir William Waller's army, even whilst they were in arms, which were well received by this honourable house, with a return of thanks; and therefore we hope we shall not be considered as men without the pale of the kingdom, excluded from the fundamental privilege of subjects; especially since we are conscious to ourselves of nothing that may deserve the same.—We have not till now appeared in petitioning, though our necessities have been frequent and urgent; not that we doubted our liberty, but because we were unwilling to interrupt you in your other weighty affairs. And we proceeded at this time with the greatest care and caution we could of giving the least offence, intending not to present our Petition to this honourable house, but with the approbation and by the mediation of his excellency, our ever honoured General; knowing how watchful our enemies were to make the hardest construction of all our actions, and represent us to you and the world under such terms as may render us most odious.—You may see the insidies of them by the false suggestions they have already made to you, of our forcing Subscriptions: the reasonableness and necessities of our desires, whereof almost every soldier is abundantly sensible, will plead the vanity of such an inforcement; especially when it shall be known that the Petition took its first rise from amongst the soldiers; and that we engaged but in the second place, to regulate the soldiers proceedings, and remove, as near as we could, all occasion of distaste. For our Desires of Indemnity for such actions as (being not warrantable by law in time of peace) we were inforced unto by the necessity and exigency of the war, we are confident this honourable house will approve of it, when you shall be informed that the soldiers are frequently indicted at assizes and sessions, and otherwise grievously molested for such actions, and many lately suffering for the same; and that notwithstanding that provision you lately made against it, divers have had verdicts passed against them this last assizes, for actions done as soldiers, as we are credibly informed. If this be practised during the time of your session, for what we did through the exigence of your service, what cruel and violent proceedings are we like to find after you are pleased to dissolve?—For the particular intimation that the Royal Assent may be desired, we never intended by it to lessen your authority; but since you have, by offering the Propositions, judged the desiring the king's assent convenient; since likewise the city of London made the same desire without offence: as to your orders to the Judges, we know not how effectual they may prove to save us from such proceedings after your sessions. All these reasons considered will, we hope, manifest our intentions in that intimation to be only a provident caution for our future safety, without the least thought of disrespect to your authority.—For the desire of our Arrears; necessity, especially of our soldiers, inforced us thereunto: that we have not been mercenary, or proposed gain as our end, the speedy ending of a languishing war will testify for us, whereby the people are much eased of their taxes and daily disbursements, and decayed trade restored to a full and flourishing condition in all quarters. We left our estates, and many of us our trades and callings to others, and forsook the contentments of a quiet life, not fearing or regarding the difficulties of war, for your sakes. After all which we hoped that the desires of our hardly-earned wages, by the mediation of our General, would have been no unwelcome request, nor argued us guilty of the least discontent or intention of mutiny.—We know not any thing further in our Petition which hath been excepted against, but your apprehensions that it tendeth to hinder the relief of Ireland, which we do not understand wherein; having always manifested, in all our actions, our readiness to further that work; unless you mean by that desire, that those who have served voluntarily should not be pressed to go out of the kingdom; to which we humbly offer this, That those who have voluntarily served in these wars, and left their parents, trades, and livelihoods; and, without any compulsion, engaged of their own accords, should, after all their free and unwearied labours, be forced and compelled to go out of this kingdom, whose peace they have so much endeavoured with unwearied pains, hoping thereby to have lived and enjoyed the fruits of their labours, would to them seem very hard: but besides this, our several Votes and Engagements, March 21, to endeavour the service of Ireland what we could, will clear us, and prove our good affections in promoting that work; and therefore

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we hope what hath been said will remove all scruples, and restore us to the good opinion of this honourable house: in assurance whereof, and in consideration of the premises, we are further emboldened to make these our Requests unto this honourable house: 1. That you will be pleased to allow us our liberty of petitioning in what may concern us now as soldiers, and afterwards as members of the commonwealth. 2. Since, upon the false suggestions of some men, informing you that this Army intended to enslave the kingdom, the honourable house was so far prevailed withal as to summon divers of us to appear at your bar, and to pass a Declaration, thereby expressing your high dislike of our Petition, declaring it tended to put conditions upon the parliament: the sense of such expressions is so irksome to us, who have ventured whatsoever we esteemed dear to us in this world for preservation of your freedom and privileges, that we cannot but earnestly implore your justice in the vindication of us, as in your wisdom you shall think fit."

This Petition was subscribed by col. Thomas Hammond, lieut. general of the ordnance, by 7 other colonels, 7 lieut. colonels, 6 majors, 130 captains, lieutenants, and other inferior officers.*

A Letter presented to the Commons by several Troopers.] April 30. The said Petition and Vindication were read. After which major-general Skippon produced a Letter presented unto him the day before, by some Troopers of several regiments in the Army, in behalf of eight regiments of horse; wherein they expressed some Reasons why they could not engage in the service of Ireland, under the present conduct; and complaining of the many scandalous and false suggestions, that were of late raised against the Army and their proceedings, whereupon they were declared enemies to the public; and that they saw designs were upon them, and many of the godly party in the kingdom: that there was an intention to disband and new model the army;† "which," they said, "was a plot contrived by some men who had lately tasted of sovereignty; and, being lifted up above the ordinary sphere of servants, endeavoured to become masters, and were degenerated into tyrants. They therefore declared, That they would neither be employed for the service of Ireland, nor suffer themselves to be disbanded, till their Desires were granted, and the Rights and Liberties of the subjects should be vindicated and maintained."

Great Debate thereupon.] The foregoing Letter being recommended to the consideration of the house by general Skippon,‡ the reading of the Army's Vindication was laid aside; and the three Troopers, viz. Edward Sexby,* Wm. Allen,† and Thomas Sheppard, who came with the Letter, (and who had presented copies of the same to sir Thomas Fairfax the general, and to lieut. general Cromwell, both which were brought into the house at the same time) were ordered to be sent for in; where several questions were propounded unto them, concerning the contriving, drawing up, and subscribing of the same. They affirmed it was drawn up first at a rendezvous of several of those regiments, and afterwards they had several meetings about it by agents from each regiment in several places. Being demanded, Whether their Officers were engaged in it? They answered, That they thought very few of them knew or took notice of it. Then, upon intimation that surely this Letter came by promotion of cavaliers in the army, it was demanded of each of the troopers severally by themselves, Whether they were Cavaliers? To which answer was returned, That they had engaged in the parliament's cause ever since Edge-Hill Battle, and some wounded there; at Brentford, at Newbery, at Henley, under major-general Skippon; and that they had been engaged in all the services since his excellency first marched into the field.—Then they were demanded, What the meaning of that clause was, wherein the word a 'Sovereignty' was expressed? They severally being called, one by one, answered, That the Letter being a joint act of those several regiments, they could not give a punctual answer, they being only agents; but if they might have the queries in writing, they should send or carry them to the several regiments, and return their own Answers together with, and comprized in the rest. After all these Examinations, they were ordered to attend the house upon summons.

General Ludlow writes,‡ "That after the reading of the Petition, some of the members moved that the messengers might be committed to the Tower, and the Petition declared seditious; but the house, after a long debate, satisfied themselves to declare, That it did not belong to the soldiery to meddle with civil affairs, nor to prepare or present any petition to the parliament without the advice and consent of their general, to whom they ordered a Letter to be sent to desire, for the future, his care therein; with which acquainting the three agents, and requiring their conformity thereunto, they dismissed them." He adds, "That the house having notice of this combination against them from col. Edward Harley, one of their members, who had a regiment in the army, expressed themselves highly dissatisfied therewith; and some of them moved that the petitioners might be declared traitors, alledging that they were servants, who ought to obey, not to capitulate. Others were not wanting,

* Their names are all printed in Rushworth, v. 6. p. 471.

† Clarendon, v. 5. p. 44.

‡ He had been some little time before elected member for Barnstaple.

* Afterwards a Colonel.

† Sometime after Adjutant-General under Cromwell.

‡ Memoirs, vol. 1. p. 190.

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who resolved the securing of lieut. general Cromwell, suspecting that he had under-hand given countenance to this design; but he being advertised of it, went that afternoon towards the army, so that they missed of him, and were not willing to shew their teeth since they could do no more. The debate continued till late in the night, and the sense of the house was, That they should be required to forbear the prosecution of the said Petition; but when the house, wearied with long sitting, was grown thin, Mr. Denzil Hollis, taking that opportunity, drew up a Resolution upon his knee, declaring the Petition to be seditious, and those Traitors who should endeavour to promote it after such a day; and promising pardon to all that were concerned therein, if they should desist by the time limited. Some of us, fearing the consequence of these divisions, expressed our dissatisfaction, and went out; which gave others occasion to pass two or three very sharp votes against these proceedings of the army."

Lord Hollis's own account of the matter runs thus:* "The Letter presented to the house, by the three Agitators before-mentioned, was an exclamation against the parliament; false and untrue complaints of wrongs done to the soldiers at assizes in the counties; a protestation against the Irish expedition, calling it a design to break the army, declaring, even if any of those three Commanders (Fairfax, Cromwell, and Skippon) should engage, their averseness to it; though Skippon was appointed by the parliament to command in Ireland, and had accepted it; in plain English saying they would not disband, nor receive any other propositions from the parliament, till their expectations were satisfied. The three Agitators, being called into the house, carried themselves at the bar in a slighting braving manner, refusing to answer such questions as the Speaker, by order of the house, asked them; saying they were employed by the army, and could not, without leave from thence, discover any thing. Many of the members resenting this high affront, were earnest to have them severely punished; but the party (the Independents) stood as stifly for them, insomuch that the worthy burgess of Newcastle, Mr. Warmouth, stood up and said, He would have them committed indeed, but it should be to the best Inn of the town, and good sack and sugar provided them; which was as ridiculous as it was a bold and insolent scorn put upon the parliament; at last even Mr. Skippon himself excused them, and said, They were honest men, and wished they might not be too severely dealt with; whereupon the house flatted, let them go without punishment, and by tameness increased their madness and presumption."—His lordship proceeds to inform us, "That when they had wrought this feat, sir Tho. Fairfax himself came to London, upon pretence of taking physick; Cromwell, Ireton, Fleetwood, and Rainsborough, who were members of the house of commons, as well as principal officers of the army, kept the house, that the soldiers might be left to themselves to fire the more, run up to extremes, and put themselves into a posture to carry on their work of rebellion with a high and violent hand; but in the mean time disclaimed these proceedings, blaming the soldiers at that distance, (as Cromwell did openly in the house, protesting, for his part, he would stick to the parliament) whilst, under-hand, they sent them encouragement and directions; for nothing was done there but by advice and countenance from London, where the whole business was so laid, the rebellion resolved upon, and the officers that were in town so deeply engaged, that when the full time was come for putting things in execution, my friend Cromwell, who had been sent down by the parliament to do good offices, was come up again without doing any; and he who had made those solemn public protestations, with some great imprecations on himself if he failed in his performance, did, notwithstanding, privily convey thence his goods (which many of the Independents likewise did, leaving the city and parliament as marked out for destruction); and then, without leave of the house (after some members missing him, and fearing him gone, had moved to have him sent for; whereupon he being, as it seems, not yet gone, and having notice of it, came and shewed himself a little in the house), did steal away that evening, I may say run away post, down to the army."

Lord Clarendon concurs with the two last Memorialists as to the suspicions concerning Cromwell, and the intention of apprehending him, which he introduces in this manner:* "Cromwell, hitherto, carried himself with that rare dissimulation (in which sure he was a very great master) that he seemed exceedingly incensed against this insolence of the soldiers; was still in the house of commons when any such addresses were made; and inveighed bitterly against the presumption, and had been the cause of the commitment, of some of the officers. He proposed, 'That the 'general might be sent down to the Army; 'who, he said, would conjure down this mu'tinous spirit quickly:† and he was so easily believed, that he himself was sent once or twice to compose the Army; where, after he

* Memoirs, p. 84. 89.

* History, vol. 5. p. 46.

† "So Cromwell, with deep oaths and vows,
Swore all the Commons out o' th' house,
Vow'd that the Red-Coats would disband,
Ay, marry would they, at their command."
Hudibras, p. 2. c. 2.

Mr. Walker, in his History of Independency, part 1. p. 31, says, "that Cromwell protested in the house, with his hand upon his breast, in the presence of Almighty God, before whom he stood, That he knew the Army would disband, and lay down their arms at their door, whensoever they should command them."

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had staid two or three days, he would again return to the house, and complain heavily 'of 'the great licence that was got into the army; 'that, for his own part, by the artifice of his 'enemies, and of those who desired that the 'nation should be again imbrued in blood, he 'was rendered so odious unto them, that they 'had a purpose to kill him, if, upon some dis-'covery made to him, he had not escaped out 'of their hands.' And, in these and the like discourses, when he spake of the nation's being to be involved in new troubles, he would weep bitterly, and appear the most afflicted man in the world with the sense of the calamities which were like to ensue. But, as many of the wiser sort had long discovered his wicked intentions, so his hypocrisy could not longer be concealed. The most active officers and Agitators were known to be his own creatures, and such who neither did, nor would do, any thing, but by his direction. So that it was privately resolved by the principal persons of the house of commons, that when he came the next day into the house, which he seldom omitted to do, they would send him to the Tower; presuming, that if they had once severed his person from the army, they should easily reduce it to its former temper and obedience: for they had not the least jealousy of the general, Fairfax, whom they knew to be a perfect Presbyterian in his judgment; and that Cromwell had the ascendent over him purely by his dissimulation, and pretence of conscience and sincerity. There is no doubt Fairfax did not then, nor long after, believe that the other had those wicked designs in his heart against the king, or the least imagination of disobeying the parliament. This purpose of siezing upon the person of Cromwell, could not be carried so secretly, but that he had notice of it; and the very next morning after he had so much lamented his desperate misfortune in having lost all reputation, and credit, and authority in the army, and that his life would be in danger if he were with it; when the house expected every minute his presence, they were informed that he was met out of the town by break of day, with one servant only, on the way to the army; where he had appointed a rendezvous of some regiments of the horse, and from whence he writ a Letter to the house of commons, "That having the night before received a Letter from some officers of his own regiment, that the jealousy the troops had conceived of him, and of his want of kindness towards them, was much abated, so that they believed, if he would be quickly present with them, they would all in a short time, by his advice, be reclaimed: upon this he had made all the haste he could, and did find that the soldiers had been abused by misinformation; and that he hoped to discover the fountain from whence it sprung; and, in the mean time, desired that the general, and the other officers in the house, and such as remained about the town, might be presently sent to their quarters; and that he believed it would be very necessary, in order to the suppression of the late distempers, and for the prevention of the like for the time to come, that there might be a general rendezvous of the army; of which the general would best consider when he came down, which he wished might be hastened." It was now to no purpose to discover what they had formerly intended, or that they had any jealousy of a person who was out of their reach."

Mr. Whitlocke here observes*, "That a victorious Army, out of employment, is very inclinable to assume power over their principals; and this, he adds, occasioned the parliament's greater care to find them employment in Ireland." In another place, after some Petitions had been presented to the house, and some printers taken up for publishing two Pamphlets, one called 'Judge Jenkins's Vindication,' and another intitled, 'Sir Dudley Digges of the Illegality of Subjects taking Arms against their Sovereign,' he adds, "Thus we see there is nothing constant in worldly affairs; the parliament having conquest and success after their own desires, yet are now miserably incumbered with the mutinousness of their army on one side, with the petulancy of pamphlets and discontented Petitions on the other."†

* Memorials, p. 250.

† The following curious account of Cromwell's conduct during the above debate is related by bishop Burnet, in his "History of his Own Times," vol. 1. p. 45, fol. edition: "Upon this I will set down what sir Harbotle Grimston told me a few weeks before his death: whether it was done at this time or the year before I cannot tell: I rather believe the latter. When the house of commons and the army were quarrelling, at a meeting of the officers it was proposed to purge the army better, that they might know whom to depend on. Cromwell upon that said, he was sure of the Army; but there was another body that had more need of purging, naming the House of Commons, and he thought the Army only could do that. Two officers that were present brought an account of this to Grimston, who carried them with him to the Lobby of the House of Commons, they being resolved to justify it to the house. There was another debate then on foot: but Grimston diverted it, and said, he had a matter of privilege of the highest sort to lay before them: it was about the being and freedom of the house. So he charged Cromwell with the design of putting a force on the house: he had his witnesses at the door, and desired they might be examined: they were brought to the bar, and justified all that they had said to him, and gave a full relation of all that had passed at their meetings. When they withdrew, Cromwell fell down upon his knees, and made a solemn prayer to God, attesting his innocence, and his zeal for the service of the house: he submitted himself to the providence of God, who it seems thought fit to exercise him with calumny and slander, but he committed his

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The King's Answer to the Propositions of Peace presented to him at Newcastle.] May 18. The lords received a packet from their commissioners at Holdenby, with a Paper inclosed in it from the King, which contained an Answer from his majesty to the Parliament's Propositions delivered to him at Newcastle, (p. 499).

For the SPEAKER of the Lords House, pro tempore, to be communicated to the Lords and Commons in the Parliament of England, at Westminster, and the Commissioners of the Parliament of Scotland.

"As the daily expectation of the coming of the Propositions hath made his majesty, this long time, to forbear giving his Answer unto them, so the appearance of their sending being no more, for any thing he can hear, than it was at his first coming hither, notwithstanding that the earl of Lauderdale hath been at London above these ten days, (whose not coming was said to be the only stop) hath caused his majesty thus to anticipate their coming to him; and yet considering his condition, that his servants are denied access to him, all but very few, and those by appointment, not his own election; and that it is declared a crime for any but the commissioners, or such who are particularly permitted by them, to converse with his majesty; or that any letters should be given to, or received from him, may he not truly say, that he is not in a case fit to make concessions, or give Answers, since he is not master of those ordinary actions which are the undoubted rights of any free-born man, how mean soever his birth be? And certainly he would still be silent as to this subject, until his condition were much mended, did he not prefer such a right understanding betwixt him and his parliaments of both kingdoms, which may make a firm and lasting Peace in all his dominions, before any particular of his own, or any earthly blessing: and therefore his majesty hath diligently imployed his utmost endeavours for divers months past, so to inform his understanding, and satisfy his conscience, that he might be able to give such Answers to the Propositions, as would be most agreeable to his parliaments; but he ingenuously professes, that notwithstanding all the pains that he hath taken therein, the nature of some of them appears such unto him, that, without disclaiming that reason which God hath given him to judge by for the good of him and his people, and without putting the greatest violence upon his own conscience, he cannot give his consent to all of them: yet his majesty, that it may appear to all the world how desirous he is to give full satisfaction, hath thought fit hereby to express his readiness to grant what he may, and his willingness to receive from them, and that personally, if his two houses at Westminster shall approve thereof, such further information in the rest as may best convince his judgment, and satisfy those doubts which are not yet clear unto him; desiring them also to consider, that if his majesty intended to wind himself out of these troubles by indirect means, were it not easy for him now readily to consent to what hath or shall be proposed unto him, and afterwards chuse his time to break all; alledging, that forced concessions are not to be kept? Surely he might, and not incur a hard censure from some indifferent men. But maxims of this kind are not the guides of his majesty's actions; for he freely and clearly avows, that he holds it unlawful for any man, and most base in a king, to recede from his promises for having been obtained by force or under restraint: wherefore his majesty (not only rejecting those acts which he esteems unworthy of him, but even passing by that which he might well insist upon, a point of honour in respect of his present condition) thus answers the first Proposition:—That upon his majesty's coming to London, he will heartily join in all that shall concern the honour of his two kingdoms, or the Assembly of the States of Scotland, or of the Commissioners or deputies of either kingdom, particularly in those things which are desired in that Proposition, upon confidence that all of them respectively, with the same tenderness, will look upon those things which concern his majesty's honour.—In answer to all the Propositions concerning Religion, his majesty proposeth, That he will confirm the Presbyterial government, the Assembly of Divines at Westminster, and the Directory, for 3 years, being the time set down by the two houses; so that his majesty and his household

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cause to him: this he did with great vehemence, and with many tears. After this strange and bold preamble he made so long a speech, justifying both himself and the rest of the officers, except a few that seemed inclined to return back to Egypt, that he wearied out the house, and wrought so much on his party, that what the witnesses had said was so little believed, that had it been moved Grimston thought that both he and they would have been sent to the Tower. But whether their guilt made them modest, or that they had no mind to have the matter much talked of, they let it fall: and there was no strength in the other side to carry it farther. To compleat the scene, as soon as ever Cromwell got out of the house, he resolved to trust himself no more among them; but went to the Army, and in a few days he brought them up, and forced a great many from the house. I had much discourse on this head with one who knew Cromwell well and all that set of men; and asked him how they could excuse all the prevarications, and other ill things of which they were visibly guilty in the conduct of their affairs. He told me, they believed there were great occasions in which some men were called to great services, in the doing of which they were excused from the common rules of morality: such were the practices of Ehud and Jael, Samson and David: and by this they fancied they had a privilege from observing the standing rules."

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be not hindered from that form of God's service which they formerly have had; and, also, that a free consultation and debate be had with the Divines at Westminster, (20 of his majesty's nomination being added unto them) whereby it may be determined by his majesty and the two houses, how the church shall be governed after the said 3 years, or sooner, if differences may be agreed.—Touching the Covenant; his majesty is not yet therein satisfied, and desires to respite his particular Answer thereunto until his coming to London; because, it being a matter of conscience, he cannot give a resolution therein till he may be assisted with the advice of some of his own chaplains, which hath hitherto been denied him, and such other divines as shall be most proper to inform him therein; and then he will make clearly appear, both his zeal to the Protestant profession, and the union of these two kingdoms, which he conceives to be the main drift of this Covenant. To the 7th and 8th Propositions, his majesty will consent. To the 9th, his majesty doubts not but to give good satisfaction, when he shall be particularly informed how the said penalties shall be levied and disposed of. To the 10th, his majesty's Answer is, That he hath been always ready to prevent the practices of Papists; and therefore is content to pass an act of parliament for that purpose: and, also, that the laws against them be duly executed. His majesty will give his assent to the act for the due observation of the Lord's Day; for the suppressing of Innovations, and those concerning the preaching of God's Word; and touching Non-Residence and Pluralities.—His majesty will yield to such act or acts as shall be requisite to raise monies for the payment and satisfying all public Debts, expecting also that his will be therein included.—As to the Proposition touching the Militia; though his majesty cannot consent unto it in terminis as it is proposed, because thereby, he conceives, he wholly parts with the power of the sword intrusted to him by God and the laws of the land, for the protection and government of his people; thereby at once divesting himself, and disinheriting his posterity, of that right and prerogative of the crown which is absolutely necessary to the kingly office, and so weaken monarchy in this kingdom, that little more than the name and shadow of it will remain: yet, if it be only security for the preservation of the peace of this kingdom, after the unhappy troubles, and the due performance of all the agreements which are now to be concluded, which is desired, (which his majesty always understood to be the case, and hopes that herein he is not mistaken) his majesty will give abundant satisfaction; to which end he is willing, by act of parliament, that the whole power of the Militia, both by sea and land, for the space of ten years, be in the hands of such persons as the two houses shall nominate, giving them power, during the said term, to change the said persons, and substitute others in their places at pleasure: and afterwards to return to the proper channel again, as it was in the times of queen Elizabeth and king James, of blessed memory. And now his majesty conjures his two houses of parliament, as they are Englishmen and lovers of peace, by the duty they owe to his majesty their king, and by the bowels of compassion they have to their fellow subjects, that they will accept of this his majesty's offer, whereby the joyful news of Peace may be restored to this languishing kingdom. His majesty will grant the like to the kingdom of Scotland, if it be desired, and agree to all things that are propounded touching the conserving of Peace betwixt the two kingdoms.—Touching Ireland (other things being agreed) his majesty will give satisfaction therein. As to the mutual Declarations proposed to be established in both kingdoms by act of parliament, and the modifications, qualifications, and branches which follow in the Propositions; his majesty only professes, That he doth not sufficiently understand, nor is able to reconcile many things contained in them; but this he well knoweth, That a general act of oblivion is the best bond of Peace; and that, after intestine troubles, the wisdom of this and other kingdoms hath usually and happily, in all ages, granted general pardons; whereby the numerous discontentments of many persons and their families, otherwise exposed to ruin, might not become fewel to new disorders, or seeds to future troubles: his majesty therefore desires, that his two houses of parliament would seriously descend into these considerations, and likewise tenderly look upon his condition herein, and the perpetual dishonour that must cleave to him, if he shall thus abandon so many persons of condition and fortune that have engaged themselves with and for him out of a sense of duty; and propounds, as a very acceptable testimony of their affection to him, That a general act of Oblivion and free Pardon be forthwith passed by act of Parliament.—Touching the new Great Seal; his majesty is very willing to confirm both it and all the acts done by virtue thereof until this present time, so that it be not thereby pressed to make void those acts of his done by virtue of his Great Seal, which in honour and justice he is obliged to maintain; and that the future government thereof may be in his majesty, according to the due course of law.—Concerning the Officers mentioned in the 19th Article; his majesty, when he shall come to Westminster, will gratify his parliament all that possibly he may, without destroying the alterations which are necessary for the crown. His majesty will willingly consent to the act for the Confirmation of the Privileges and Customs of the city of London, and all that is mentioned in the propositions for their particular advantage.—And now that his majesty hath thus far endeavoured to comply with the desires of his two houses of parliament, to the end that this agreement may be firm and lasting, without the least face or question of restraint to blemish the same, his majesty earnestly desires pre-

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sently to be admitted to his parliament at Westminster, with that honour which is due to their sovereign; there solemnly to confirm the same, and legally to pass the acts beforementioned; and to give and receive as well satisfaction in all the remaining particulars, as likewise such other pledges of mutual love, trust, and confidence as shall most concern the good of him and his people; upon which happy agreement, his majesty will dispatch his directions to the Prince, his son, to return immediately to him, and will undertake for his ready obedience thereunto. Holdenby, May 12, 1647."

May 20. The lords having appointed this day for taking the king's Letter into consideration, it was again read; and the question being put, Whether the king shall be brought from Holdenby nearer to London, before such time as their lordships consider of the whole matter of the Letter? It was resolved in the affirmative, by a majority of 15 against 9. The question being next put, Whether Oatlands shall be the place where the king shall be removed to from Holdenby, as soon as it can be made ready for him? It was also resolved in the affirmative, and a message was sent to the commons to desire their concurrence.

A Petition, styling the Commons the Supreme Authority of the Nation, ordered by them to be burnt.] This day a Petition directed 'To the Right Honourable and supreme authority of this nation, the Commons in parliament assembled;' and intitled, 'The humble Petition 'of many Thousands, earnestly desiring the 'Glory of God, the Freedom of the Common 'wealth, and the Peace of Men,' was read; and it was resolved that the same be burnt by the hangman, on a division of only 94 against 86. The purport or prayer of the Petition is not entered in the Journals, nor do we meet with it in any of the Collections. The offence seems to have been styling the commons 'the Supreme Authority of the Nation.'

An Ordinance indemnifying all such as have acted in the Service of the Parliament] May 21. In order to satisfy the Army in some measure, an Ordinance was passed and published to this effect: "The lords and commons taking notice that divers well-affected persons have been sued, indicted, prosecuted, or molested; and others are likely to be sued, indicted, prosecuted, or molested, for acts done by authority of this present parliament, and for the service thereof, during these late wars and troubles; do hereby ordain and declare, That no persons who have acted by authority of parliament, or for the service thereof, ought to be sued or molested: that such as are or shall be so sued or molested may plead the general issue that they are not guilty, and give this ordinance in evidence; and shall have treble costs awarded them: that such persons as are not able to defend a suit at common law, or may find themselves aggrieved in the proceedings thereof, may, either before or after trial at common law, make their complaint to the committee of parliament, herein named, or any five of them, who are impowered to determine such complaints, to examine witnesses, and to commit to prison, if they see cause, any person suing as aforesaid, and to award to the defendant treble damages: that in case any solicitor, attorney, &c. do not forbear the prosecution upon order shewed from the said committee, that then such solicitor, attorney, &c. shall be committed to safe custody. Provided that nothing in this Ordinance shall discharge any person from making a true account to any commissioners or committee of parliament of what they have received for the benefit thereof."

Votes relating to the Disbanding of the Foot.] May 22. The lords agreed to the following Votes, sent up by the commons, about disbanding the Foot. 1. "That the General's regiment be first disbanded; that the time for that disbanding be on the 1st of June, and that the town of Chelmsford be the place for the rendezvous. 2. That such as will engage for Ireland shall presently be taken on, and have a fortnight's advance paid them out of their 6 weeks, besides the two months pay of their arrears, and to march forthwith to Ingatstone, there to receive orders. 3. That those that shall be disbanded shall receive their two months pay of their arrears, and shall deposit their arms in the church, and have a pass to go to their several homes. 4. That the like manner be observed in disbanding the rest of the regiments, at the several times and places of rendezvous, as follows, viz. That col. Hewson's regiment be disbanded at Bishops-Stortford, on the 3rd of June next: and those who engage for Ireland to march to Puckeridge to receive orders: that col. Lambert's regiment be disbanded at Walden, on the 5th of June next; and that those that engage for Ireland march to Heydon to receive orders: that col. Lilburne's be disbanded at Newmarket, on the 10th of June next; and those who engage for Ireland to march to Botesham to receive orders; of this regiment there are 580 already engaged now at Evesholm: that col. Harley's be disbanded at Cambridge, on the 8th of June next: and those that engage for Ireland to march to Stanton to receive orders: that sir Hardress Waller's be disbanded at Huntingdon, on the 12th of June next; and those who engage for Ireland to march to Thrapston to receive orders: that col. Hammond's be disbanded at Bedford, on the 15th of June next; and those that engage for Ireland to march to Newport Pagnell to receive orders: that col. Ingoldsby's be disbanded at Woodstock, on the 4th of June next; and those who engage for Ireland to march to Chipping-Norton. 5. That field-marshall Skippon's at Newcastle be taken on for Ireland, and march according to his orders. 6. That the money for disbanding all those regiments, and also a fortnight's pay for those that shall go for Ireland, be conveyed under a strong guard to the several places of rendezvous, to be there the day before the day of

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disbanding. 7. That the general be desired to issue out his orders to the several regiments, to be at the several places and times of rendezvous respectively; and that himself be present to see them disbanded; as likewise field-marshall Skippon, who is then to take on such of them as will go for Ireland: and that, in regard the regiment of col. Ingoldsby lies off from the rest, and it is to be disbanded at Woodstock the 4th of June next, the general is desired to send some officers to see them disbanded. 8. That the several captains of each company bring a list of their company, under their hand, to the place of the rendezvous appointed for disbanding; wherein the name of every soldier in that company shall be expressed. 9. That where it shall appear that any of the soldiers have not two months pay due to them, so much be abated as shall be found to come short of it. 10. That it be referred to the committee of the army, to consider of Instructions for stating the Arrears and Accounts of the soldiers of this army, and how debentures shall be given them for so much as shall appear justly due upon their accounts. 11. That all commission-officers shall receive their particular debentures upon their accounts made by the committee and treasurers of the army abovesaid. 12. That the excise in course shall be the security to be given for the payment of the arrears of the inferior officers and common soldiers; and that the commission-officers shall be paid out of the estates of the delinquents in the first exceptions, not yet disposed: and that the committee of the army do prepare and bring in an ordinance to this purpose. 13. That a committee of lords and commons be appointed to go down, and be assisting to the general in this service of disbanding the army. 14. That the committee of lords and commons appointed to go down to the army, shall, at the head of every regiment, at their disbanding, give them the thanks of the houses for their faithful service to the parliament."

Besides the foregoing Votes sent up to the lords for their concurrence, the commons had resolved That 40,000*l.* be appointed for the disbanding of these regiments, and for the fortnight's pay, part of the six weeks pay for those that should go for Ireland. But this last Resolution was not sent up, which is thus accounted for in the commons Journals of the 25th of this month, viz. "Resolved, That all these Votes concerning the Army, except those that concern the disposing of the Monies, be sent to the lords for their concurrence."

It was afterwards ordered, That these Votes, so passed, should be sent down, inclosed in the following Letter from both the Speakers, to sir Thomas Fairfax.

"Sir; We are commanded to transmit unto you these Votes concerning the disbanding the Foot, whereby you will see the care of the two houses of parliament, to give all satisfaction to the officers and soldiers under your command. You are desired to communicate these Votes to them in such manner as you shall think best for preparing all things which may conduce to the expediting the service, which doth so much import the peace of this kingdom, and the relief of Ireland, to which it is not doubted but that you will contribute all that lies in your power, and thereby add to your former merit. We are &c. Westminster May 28, 1647."

The Parliament's Declaration touching the Disbanding of the Army; providing for Widows, &c.] May 28. Both houses passed the following Declaration:

"The lords and commons finding it of absolute necessity, in relation to their duty to this kingdom, to take off the great charge which it hath so long undergone in maintenance of arms; as likewise to that of Ireland, which cries out for present relief, and must otherwise irrecoverably perish, have therefore thought fit to disband the Foot of this army. But, withal, have taken it into their special care to give all just satisfaction to those who have served therein, providing for their indemnity, and for the maintenance of such as have lost their limbs; and likewise for the widows and orphans of those who have lost their lives in their service; and an assurance unto those who have voluntarily served them, not to be pressed out of the kingdom; and also such a considerable part of their arrears to be paid to those that are to be disbanded, as is possible to be provided for at present, with a regard to other public services of unavoidable necessity; and good and sufficient security for all that shall appear to be due, both to officer and soldier, upon the auditing of their accounts; which is put into a way of speedy dispatch, and of no trouble at all to the soldier, and but of little to the officer; all which doth appear by the several ordinances and orders of both houses, passed to that effect; which will, we presume, abundantly satisfy all persons of the parliament's tenderness towards the army, and acceptance of their faithful services; and dispose the army to a chearful and ready compliance with their resolution, that Ireland may be relieved, and this kingdom recover a breathing time after so long and heavy sufferings; the houses being fully resolved to apply their whole care and endeavours, with God's assistance, to remove those pressures, which either the necessity of war, or want of leisure for the remedy in these troublesome times, may have occasioned."

Letter from General Fairfax to the Irish Committee, concerning disbanding of the Army.] June 1. A Letter from sir Thomas Fairfax, in Answer to the last Orders of parliament sent to him, together with a Paper called 'The humble Advice, &c. of the Council of War,' were read to the Lords as follows:

For the Right Hon. the COMMITTEE of Lords and Commons for Irish Affairs, sitting at Derby-House: Bury, May 30, 1647.

"My lords and gentlemen; Yesterday, towards evening, I received your lordships let-

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ter, and Votes therein inclosed: before the receipt thereof I had convened the officers unto a general Council of War, to advise concerning the better transacting of that business, and prevention of all inconveniences; whereupon, after much time spent about it, we came to these Resolutions, which declare much dissatisfaction in the army at being disbanded without having their Grievances fully redressed; and the danger that may ensue if any one regiment should be drawn out to disband, before the whole army be equally satisfied. The Resolutions are long and many, which I shall hasten by a messenger on purpose to both houses of parliament; being things, indeed, of that great concernment, as I cannot but, in duty and discharge of myself, communicate unto the houses.—In the mean time, I humbly offer unto your lordships consideration, that if you hold your intended journey to Chelmsford, there is little hopes (as the temper of the army now stands) that your lordships will find things answerable to your expectations: however, I have appointed a guard of horse, out of my own regiment, to be there on Monday; but I doubt, the orders coming so late, they cannot be there so early, as to meet the money upon the way; and for the same reason I could not possibly have the life-guard to be there in time, it being now quartered in Bedfordshire, nor any other guard but out of my own regiment of horse, which lieth nearest. I remain, your, &c. THO. FAIRFAX."

The Advice of the Council of War to General Fairfax, concerning disbanding of the Army.] The Paper mentioned in the foregoing Letter, was as follows:

To his Excellency Sir Thomas Fairfax, knt. Commander in Chief of the Parliament's Forces: The OPINIONS and Humble ADVICE of your Council of War, convened at Bury this 29th of May 1647, in relation to the Votes of Parliament communicated unto us by your Excellency, and your Desire of our Advice thereupon;

"Humbly shewing; I. That, upon the reports come to all quarters of the Army, concerning the Votes and proceedings of the houses of the 21st of May; as also of those of the 27th, we find the generality of the army (as we also ourselves) much unsatisfied with the one, and something amazed and startled at the other; the first Votes coming much short of satisfaction, as to the Grievances of the Army then reported to the house, and not taking any notice at all of some that are most material; and the latter, importing a resolution suddenly to disband the Army by piece-meal, before equal satisfaction be given to the whole army of the Grievances, or so much as any consideration had of some others most material; and also before any effectual performance of that satisfaction which the Votes of Friday seemed to promise, as to some of the Grievances; all which we shall be ready, upon a little time given us, to present to your excellency more distinctly, and in particulars. II. That the said dissatisfaction, and the jealousies occasioned upon the said proceedings, as we fear, and, by some effects already appearing, do find, may unhappily produce dangerous disturbances and tumultuous actings amongst several parts of the army, as they lie now dispersed and remote from the head quarters; especially amongst those regiments, whose principal officers, by neglecting and deserting their soldiers in their necessary concernments, or just grievances, have disobliged their soldiers, and lost their interest with them; insomuch that such officers are in some sort forced to withdraw from their charges, and can scarce, with safety, come at them: and, to prevent the inconveniences or ill consequences which such disturbed or tumultuous actings might produce, either to the countries where the army quarter, or to the kingdom, we humbly advise your excellency, without delay, to draw the army, or at least those parts thereof that are not fixed to certain quarters upon particular duty, unto a closer posture of quarters; so as each regiment, troop, and company may lie under the view and oversight of the respective officers that are left with them; and all of them under a nearer view and correspondence with the head quarters, which may thus have a readier influence upon all, for a better preserving of good order, and prevention of inconveniences; and, in such posture, for the country's ease, as to remove and shift the whole quarters once a week at least, till, upon further satisfaction, the army may be quietly and orderly disbanded. III. That, upon the same dissatisfactions, we find an extreme earnestness and violent propensity amongst the soldiers to a general rendezvous; and we verily believe the first attempting to disband any one regiment, before equal satisfaction to all, and assurance against those they have cause to fear, will occasion them all to draw together and rendezvous of themselves, as it were upon alarm. To prevent the inconveniences or ill consequences, both to those counties and the kingdom, of any such tumultuous or confused drawing unto rendezvous without order, we humbly advise your excellency, without delay, after the contraction of quarters, to order a general rendezvous for those parts of the army whose quarters shall be so contracted; and this we advise and desire the rather, because of the scandalous suggestions of some, importing as if the late discontents appearing in the army, and the representation of Grievances, were not really in or from the body of the soldiery; but a mere delusion and appearance, made by the contrivance and artifice of some factious officers, or some other persons in the army; the truth or falsehood whereof, as also the true distemper or disposition of the army, your excellency and all others may most clearly discover, by such a general rendezvous, without delay or trouble of going to every regiment apart as they now lye; the army may more certainly understand what they may expect from the parliament; and

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both parliament and kingdom know what to judge and trust to concerning the army: and to that purpose, at such a rendezvous, we shall (we hope through the grace of God) discharge our duties to the parliament and the kingdom, as well as to your excellency and the army; and demonstrate that the good and quiet of the kingdom is much dearer to us than any particular concernments of our own. These two last things we humbly advise and desire may be done without delay, or that otherwise we may be held acquitted from all inconveniences that may ensue in our several charges. IV. Since besides the dissatisfactions of the army hitherto in the point of Grievances, and defect of assurance as to several of those things promised towards satisfaction; and besides the jealousies occasioned upon the Votes of Thursday last, and all the ill consequences which may follow in proceeding thereupon; that course of disbanding the army by piece-meal, before the satisfaction intended be performed equally to the whole, seems something strange and unusual; not practised in the former armies, as major-general Massey's brigade, the Scots army, &c. nor used, that we have heard of, by any state towards any army that was ever accounted faithful; we humbly desire your excellency, by an effectual letter, to move the parliament for this, as that which we humbly offer and do beg of them, both for their own honour, in relation to what future armies they may have occasion to employ, for the reputation of your excellency and this army, as well as for its better satisfaction; and as they tender the good and assured quiet of this kingdom, or the effectual relief and saving of Ireland, that they would be pleased to resume the consideration of the things voted on Thursday last, and to suspend any present proceeding thereupon; as also to resume the Grievances of the Army, together with the things proposed in the conclusion of the Narrative from the Officers; and to give satisfaction, or at least some resolution, to each of them; and that they would not put that temptation and jealousy in the way of the army, or that dishonour upon it, as to disband it in scattered pieces before satisfaction be equally given to the whole. And we here further desire your excellency to move that what hereafter follows may be admitted into consideration, but not as tending to delay the Relief of Ireland: 1. We find most clearly, that the great hopes suggested to the parliament of the supply of that service, in that way at present intended, will prove, as to any farther expectations out of this army, but vain and delusive; as the loud noise of so many powerful officers of the army, with 50 companies of foot and 10 of horse, so long since engaged for that service, hath already proved; and herein, if our judgments be not credited, we have yet discharged our duty to the parliament and both kingdoms in declaring it. 2. We cannot, but for our own and the army's further discharge and clearing, declare, That if the parliament had not been abused by many of those who have pretended the promotion of that service; and not been by such men's false informations or misrepresentations concerning the army or otherwise, diverted from the consideration of, or from giving reasonable satisfaction to, the army, in those things proposed by the generality of the officers at the first meeting at Walden, in March last, in order to that service; and had not, by like mischievous practices of such incendiaries, been since then moved and drawn into a series and succession of such things, as have conduced to multiply discontents, discouragements, disobligations and provocations, upon the army; we say, had it not been for such persons and such things, we are confident the parliament might have had, if they pleased, an army entire and ready formed under the conduct of their old officers, to have engaged in that service, having first found a just consideration for the Service past, and assurance of the pay and subsistance in that to come. J. MILES, Advocate."

Sir THOMAS FAIRFAX's Letter to the SPEAKER of the House of Commons, inclosing a Copy of the foregoing.

"Mr. Speaker; Bury, May 30, 1647.

"Having called the officers of the Army to St. Edmundsbury, I communicated unto them yesterday the votes of both houses, and a Letter of the house of peers sent therewith, concerning the disbanding the Army; after a long consultation had thereof, this inclosed was delivered unto me, as the result of the Council of War, where the officers were very many and unanimous: which being of importance, I held it my duty to hasten the same unto you, being much perplexed in my thoughts that dissatisfaction betwixt the parliament and the army should rather increase than lessen. I intreat you that there may be ways of love and composure thought upon. I shall do my endeavours, though I am forced to yield to something out of order to keep the army from disorder, or worse inconveniences. I desire you to take some speedy resolution for the composing of things, whereby the kingdom may be happy in a timely deliverance from further distraction; for the effecting whereof I could be content to be a sacrifice, as the last service you can have from, Your &c. T. FAIRFAX."

June 2. A Message was brought from the commons, to let the lords know, what whereas they had ordered that Monies should be sent down to Chelmsford and Woodstock, 7000*l.* to the first, and 5000*l.* to the latter, the house, upon some reasons, had ordered the said Money to be brought back to London. They also desired their lordships concurrence, that the Commissioners sent down to Chelmsford might be recalled. The lords agreed to the first, but took time to consider of the last request; though they afterwards consented to that also; and the Commissioners being returned gave this account, That they had not disbanded the foot, in regard the Army was in a distemper, and did march away from the place of rendezvous.

Letter from Lord Montague, advising that

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Cornet Joyce had surrounded Holdenby House with a Party of Horse.] June 3. Advice came by a messenger from the Commissioners at Holdenby, that yesterday they had information the Army had a design to take the King away from them; and that last night there came 700 horse to King's-Thorpe, near Holdenby: that he, coming away from thence, was stopped and searched by the said troopers, though they knew him to be one of the Commissioners servants; and that the commissioners dare not send any letters lest they might be intercepted. Lastly, that col. Greaves had drawn all the guards into Holdenby-House, and had shut up the gates.—Both houses were now in great consternation at this news, and sat morning and afternoon for some time. And in the afternoon of this day the lords agreed to the form of a Letter to be sent to sir T. Fairfax, to desire him to come to London, that they might be more fully informed by him of the distempers and dissatisfaction of the Army, and be advised how they might appease them. The Letter to be sent down to the commons for their concurrence, who agreed to it. But the parliament were soon put out of their doubts, though not out of their fears, for

June 4. The Speaker of the house of lords presented a Letter to them from the Commissioners attending the King at Holdenby, and a Paper inclosed, both which were read:

To the right hon. the Earl of MANCHESTER, Speaker of the House of Peers, pro tempore.

"My lord; Yesterday we got first uncertain intelligence of some parties of horse upon their march near Stony-Stratford; towards night, other reports came to us of an intention to surprize this place; whereupon col. Greaves doubled the guards by such as he had most confidence in; at length a scout of our own brought word of a party of horse rendezvousing upon Harkaston-Heath, not two miles off, about ten o'clock at night; and, withal, we were secretly informed that their intentions were to seize col. Greaves, and to possess themselves of this place: hereupon we began to prepare for defence; but we found, upon advice with col. Greaves, the guards were so little to be relied upon, that we thought it requisite he should withdraw himself, lest he should be taken by force from us, there being no means left us to secure ourselves; to which necessity he was contented to submit, and we purposely caused it to be divulged that he was gone, hoping thereby to divert the horse from falling on us; but, about one of the clock, we had certain knowledge of their being drawn into the park and meadows adjoining, and that we were surrounded by them; which caused us to send for all the officers of our guards, who, with one consent, declared to us that they found no disposition in their soldiers to fight with any of the General's Army, with whom they had so often adventured themselves against the common enemy. Whilst this discourse held with them, it passing two of the clock, about break of the day we discovered a party of horse drawn up before the great gates; whereupon we dismissed them to their charges, and immediately, at our back-yard, where our horse and dragoons stood, their horse with many of ours amongst them, entered without any resistance at all, being quietly let in and embraced by the soldiers. We presently sent to speak with their chief officer. It was answered, That there was none that commanded them; but soon after, Mr. Joyce, cornet to the General's lifeguard,* came unto us; and being demanded the cause of their coming in this manner, he answered, They came with an authority from the soldiery to seize col. Greaves, that he might be tried by a council of war, for having scandalized the army; whereby a plot contriving to convey the king to London, without directions of the parliament, would be prevented. We desired he would put the same into writing, and accordingly he delivered us the following Paper; wherein you will not find col. Greaves mentioned by name, though intended."

'May it please the Hon. Commissioners of 'Parliament; We, Soldiers under his excellency sir Tho. Fairfax's command, have, by 'the general consent of the soldiery, manifested 'our true love to the parliament and kingdom, 'by endeavouring to prevent a second war, 'discovered by the designment of some men 'privately to take away the king, to the end 'that he might side with that intended army to 'be raised; which, if effected, would be to the 'utter undoing of the kingdom. We shall be 'able and willing to bring our testimony, when 'called for, who were the plotters and contrivers therein. This being the only way and 'means to prevent all those forementioned 'dangers, that might have unhappily come on us 'and this whole kingdom, whose weal we have 'always endeavoured with the hazard of our 'lives, and the blood of many of our dear 'friends and fellow soldiers and commanders. 'This being the only thing presented to us, 'which put us on our late action for the preservation of the King's person, and furthering 'of the parliament's proceedings, together 'with the commissioners great care to effect 'the same, and to discharge the trust imposed 'on them.'

"This is the condition we are in, with much sorrow to ourselves that we can give you no better account, though our endeavours have not been wanting; our humble suit is, that, by this bearer, capt. Titus, you will please to send us speedy directions; the want whereof hath been no small discouragement to us hitherto, in a service of this length and importance. I remain, &c. ED. MONTAGUE. Holdenby, June 3, 1647."

Capt. Titus also made a Narrative of the

* Cornet Joyce was a Taylor, and had, two or three years before, served in a very inferior employment in Mr. Hollis's house. Clarendon, vol. 5. p. 47.

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business to the same effect as the foregoing Letter.

The King's younger Children brought to St. James's.] Hereupon the lords ordered that the earl of Northumberland be sent to, bring the King's Children, now in the country, to St. James's; and that a letter be sent to him for that purpose; and,

June 5. A Letter from the earl of Northumberland to the earl of Manchester was read:

"My lord; This Night, at 11 o'clock, I received, by your Messenger, the commands of the house for bringing back the King's Children to St. James's, which I shall readily obey, though with very great inconveniency to them; for there is no provision of any kind for them in that place. I am, Your &c. NORTHUMBERLAND. Hampton-Court, June 4, 1647."

Letter from lord Montague, concerning the King's being carried from Holdenby by Cornet Joyce.] Then another Letter from the lord Montague was read, addressed as the former:

"My lord; The party that possessed themselves of this place upon Thursday morning, carries the King this day to Huntingdon, in his way to Newmarket: we, having publickly declared to them that our commission was to attend the king at Holdenby, and not elsewhere, till further orders, are compelled to go along with them. Would the convoy assigned to the service have adhered to us, or had we been enabled by any other force, our resolution was to discharge our trust with the loss of our lives, as we told them openly this morning, when the king spoke with them in the outer court; but upon the question propounded, Who would stand by us? It was replied by them all, 'Not a Man.' We should make you a Narrative of colonel Joyce's admission to speak with the king, after he was in bed last night, when he propounded his going to the army; and also of his majesty's Answer given them in public this morning: the effect was, the king declared he came hither with his own consent, though not so willingly as he might have done, to the end he might send Messages, to his two houses of parliament, the greatest power next himself in England, and to receive Answers from them: that he had sent them several Messages, and was, in short, obliged to stay for their Answers; yet, being no way able to oppose so many, he should go more or less willingly with them according to the Answers they should give him; but, withal, required to know by what authority they came unto him. They replied, Their authority was from the Army:* That they did this of necessity in order to the peace of the kingdom and maintenance of the laws; which were in great danger of being overthrown by a plot, divers years since contrived amongst persons that had a hand in the present government; and as to the king's demands, which were, that he might be treated with honour and respect; that he might not be forced to any thing against his conscience; that his servants, against whom they had no just exception, might have liberty to attend him. All this they consented to with acclamation. The confusion we are in, together with the haste they impose upon us, gives us not leave to make you a better Narration; but shall humbly desire that we may not be forgotten in a condition wherein your service hath involved us, but that we may receive your directions, remaining, your &c. ED. MONTAGUE. Holdenby, June 4, 1647."

Votes passed for satisfying the Army, and expunging the late Declaration against them.] June 5. The commons sent up to the lords, for their concurrence, the following Votes and Resolutions: "Resolved, &c. That the Officers of this Army, not in commission, shall have their full pay upon their disbanding or engaging for Ireland, deducting for free quarter according to the course and rules of the army: That 10,000*l.* be allowed to the reduced officers: That the common soldiers shall have their full pay, on the footing of the officers: That commission-officers should have a month's additional pay on their disbanding; that the Declaration of both houses, on the 30th of March last, be expunged." This last Vote the lords debated; and the question being put, it was carried in the affirmative.—When the same question for expunging this Declaration was proposed the day before, in the house of commons, they divided upon it; and it was carried in the affirmative by 96 against 79: accordingly it was expunged in the presence of the whole house; and, as the Journal expresses it, The whole house sitting. "Here," says Whitlocke, "the parliament began to surrender themselves and their power into the hands of their own army."

A Letter thereupon sent to sir T. Fairfax, in the Name of both Houses.] A Letter ordered by the lords to be sent to sir Tho. Fairfax, and now sent up again by the commons, was read, and debated whether it should go to that general; but this also was carried in the affirmative. The draught thereof, to be signed by the Speakers of both houses, runs thus:

"Sir; The houses have received your Letters and those Papers from the Council of War. They have taken into consideration to do that which may best conduce to the public peace, and have already passed divers Votes in order

* Lord Clarendon writes, "That there was no part of the Army known to be within 20 miles of Holdenby at that time; and that which administered most cause of apprehension was, that those officers who were of the guard declared, 'That the squadron, which was commanded by Joyce, consisted not of soldiers of any one regiment, but were men of several troops, and several regiments, drawn together under him who was not the proper Officer;' so that the king did, in truth, believe that their purpose was to carry him to some place where they might more conveniently murder him." vol. 5. p. 48.

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thereunto, and are going on to the rest; which they are confident will give a full satisfaction to all good men, and will leave no scruple in the candid and honourable intentions of the parliament towards the Army. These Resolutions cannot be ready to be with you before Wednesday next, at which time they will send them to you, and a committee of both houses to advise with you how to improve these Votes for the settling of the present distempers, and to give you their best assistance in communicating them to the Army; and that it may be done in a more public and satisfactory way, they desire you to appoint a general rendezvous on Wednesday next, upon Newmarket-Heath; desiring and expecting that you and your officers will, in the mean time, so order it, that the army shall neither remove, nor act any thing to the disturbance of the public peace, Yours, &c."

The Scots Commissioners residing in London had also taken the alarm, and sent to the lords to desire that they would appoint a committee to meet them that day, having something of great importance to communicate to them. Accordingly, a committee of both houses were ordered to attend the Scots immediately.

Message from the King by the Earl of Dumfermline.] The lords being informed that the lord Dumfermline was in the little lobby, and said he had a Message to the houses from the King, they ordered him to be called in, and he delivered his message: but the lords desiring him to put it in writing, that so they might deliberately think of it, it was deferred to the afternoon of this day. In the mean time the Speaker, in the name of the house, gave his lordship thanks for his care in delivering the Message. It was to this effect:

"My lords; I am sent by his majesty to the hon. houses of parliament, and commanded to impart three things unto them: 1. That his majesty goeth from Holdenby unwillingly. 2. His majesty desires that his parliament will neglect no means for preserving the honour of parliament, and the established laws of England. 3. His majesty desires that they will believe nothing that is sent or done in his name against the parliament, unless they send to himself and know the truth of it."

The same Message was presented to the commons by the lord Dumfermline, who delivered it sitting in a chair appointed him by the house for that purpose.

Next, the lords commanded the King's Letter from Holdenby, of the 12th of May last, to be all read, and then it was ordered to be read in parts, and compared with the last Propositions for Peace; for the doing which the house adjourned into a committee during pleasure. The house being resumed, a motion was made that the question might be put, Whether this house would adhere to their former Propositions, or not? But it being put to the question, Whether this should be now put? it passed in the negative.

The last thing of this day was, that the lords received a Message from the commons, informing them that they, the commons, intended to sit the next day, being Sunday, in the afternoon, and desired the lords to do the same, which they readily agreed to.

The Parliament under great Apprehensions of the Army's marching up to London.] June 6. The lords made an Order, That the Committee for Irish Affairs, sitting at Derby-House, should immediately consider of the best ways and means for the ordering and directing the Forces within the city of London and lines of communication, Middlesex, Surrey, Hertfordshire, and Kent, to suppress all tumults, mutinies, and disorderly assemblies, to the disturbance of the parliament and hinderance of their proceedings, in the carrying on the great business of the kingdom. To this the commons gave their concurrence.

Ordinance for allowing Days of Recreation instead of the abolished Festivals.] June 8. The parliament passed an Ordinance for abolishing all Holidays, and appointing other days for Sports and Recreations for scholars, apprentices, and servants, in their room; of which the following is an abstract: "Forasmuch as the Feasts of the Nativity of Christ, Easter, and Whitsuntide, and other Festivals, commonly called Holidays, have heretofore been superstitiously used and observed; be it ordained, That the said Feasts and Festivals be no longer observed within England and Wales. And to the end that there may be a convenient time allotted to scholars, apprentices, and other servants, for their recreation, be it ordained, That, with the leave and approbation of their masters first obtained, they shall have such convenient reasonable recreation from their ordinary labours, on every second Tuesday in the month throughout the year, as formerly they used to have on the Festivals aforesaid: and if any difference shall arise between any master and servant, concerning the liberty hereby granted, the next justice of peace shall have power to order and reconcile the same."

Letter from General Fairfax relating to the King's being carried from Holdenby-House.] This day the commons sent up to the lords the following Letter from sir Thomas Fairfax:

For the Hon. WM. LENTHALL, esq. Speaker of the House of Commons.

"Cambridge, June 7, 1647.

"Mr. Speaker; By my last, of Friday the 4th instant, I gave you an account of what I understood from Holdenby, concerning the undertaking of some soldiers, on Wednesday last, to secure the king from being secretly conveyed away; and that col. Greaves, being thereupon privately slipt away, I had sent col. Whaley, with his regiment, to attend the commissioners, and to take charge of the king's guards there.—On Saturday morning, being at a rendezvous beyond Newmarket, and advancing the Army this way, in order to quarter about Cambridge, I received advertisement that the soldiers at Holdenby had, upon Fri-

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day morning, with his majesty's consent, brought him away from thence, together with your commissioners; that they lay at Hinchingbrook, near Huntingdon, on Friday night, and would be at Newmarket that day. The ground of this remove was alledged to be an apprehension in the soldiers of some forces gathering towards the place suddenly to fall upon them, and to force the king out of their hands; to withstand which they thought they might be too weak, having then no notice of col. Whaley's coming with his regiment; upon this I immediately sent after col. Whaley, to advertise him thereof, with order to direct his course towards Huntingdon; and where ever he met his majesty and the commissioners, to desire they would come on no further this way, but rather to return and suffer him to guard them back; and to prevent any danger imaginable therein, I sent off from the rendezvous two regiments of horse more to march after col. Whaley, towards Huntingdon, and so on to Holdenby, to be assistant to him in the guards about his majesty, if it should be found needful; and thus I held on the motion of the rest of the army this way.—Towards the evening, after the quarters of the army were assigned and taken up hereabouts, and the regiments marching off towards their several quarters, I understood from col. Whaley, that, meeting the king and commissioners upon their way from Huntingdon, towards Newmarket, about 4 miles short from Cambridge, they had forborne coming on any further; but his majesty being not willing to return back for Holdenby, they had taken up his quarters, for the present, at sir John Cutt's house, at Childersley, being the next house of any conveniency to the place where he met them: hereupon I sent thither to sir Hardress Waller and col. Lambert, to inform the commissioners of my coming to Cambridge and the army's quartering thereabouts, and desired that they would think of returning back with his majesty to Holdenby; and, because there might be many inconveniences in delay, that they would not make any stay where they were, but remove back that way next morning, though it were the Lord's Day. The commissioners refused to act, or meddle any otherwise to dispose of the king, without the parliament's further directions; and his maj. declares himself very unwilling to go back to Holdenby.—Thus I have given you a true and faithful account how his majesty came to the place where he is, and how the quarters of the Army have fallen out to be so near him: whatever the concurrence of events to make it thus may be suspected to design therein, this is the exact truth of the business; and I can clearly profess, as in the presence of God, for myself,* and dare be confident of the same for all the officers about me, and the body of the army, that this remove of his majesty from Holdenby was without any design, knowledge, or privity thereof on our parts; and a thing altogether unexpected to us, until the notice of it came upon the rendezvous, as before; neither was our rendezvous, or our coming hither to quarter with the army, for any purpose or with any expectation to be so near his majesty as it happened; but the effect is so far merely providential, and to us accidental: that the case being as it is, the commissioners refusing to intermeddle as before, and the king to go back, I have placed, and shall continue, about his majesty such a guard of trusty men, and under such command, (col. Whaley being chief in the charge) as I may be responsible for to the parliament and kingdom; and so far, as can reasonably be expected from me, by the blessing of God, to secure his majesty's person from danger; and prevent any attempts of such as may design, by the advantage of his person, the better to raise any new war in this kingdom. And truly, sir, to prevent any attempts of such as may design any such mischief, as it is my own most earnest and humble desire, so I find it to be the unanimous desire and study of the army, that a firm Peace in this kingdom may be settled, and the Liberties of the people cleared and secured, according to the many Declarations by which we were invited and induced to engage in the last war: and the parliament's speedy and effectual application to these two things, I find, would conduce more surely to a chearful and unanimous Disbanding than any other satisfaction to their particular Grievances can do: and yet, whatever may be suggested or suspected, I do certainly find, and dare assure you, and you may depend upon it, that the sense of the army is most clear from any purpose or inclination to oppose the settling of presbytery, or to have the independent go-

* Lord Hollis informs us, "That a meeting was appointed at lieut. general Cromwell's upon the 30th of May, where it was resolved that cornet Joyce should, with a party of horse, go to Holdenby and seize upon his majesty; although Cromwell protested he knew nothing of it." And, after taking notice that sir Thomas Fairfax professed the same thing, he proceeds thus, "Perhaps he said true; I would fain be so charitable as to believe it; nor indeed do I think the good man was privy to all their plots, he must have no more than what they were pleased to carve and chew for him, but must swallow all, and own them when they come abroad." Memoirs, p. 96.—Conformably to this Lord Clarendon observes, "That though general Fairfax had been with the king and kissed his hand, and made such professions as he could well utter; yet his authority was of no use, because he resigned himself entirely to Cromwell." And sir Philip Warwick, in his Memoirs, p. 299, adds, "That when, afterwards, they waited on the king both together, at Royston, his majesty asked them, 'Whether they commissioned Joyce to remove him?' which they denying, the king answered them, I'll not believe you unless you hang him."

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vernment set up, or to uphold a licentiousness in Religion, or to meddle with any such thing as the advancement of any particular party or interest whatsoever; but wholly to leave all such particular matters to the wisdom of the parliament.—I shall, by the next, send you a full account of the proceedings and unanimous Resolution of the Army at the late rendezvous, being not at present so fully prepared to do it as is fit. The letter from both houses I have received but this night. The quarter of the army being lately altered before, will make the heath near Newmarket less convenient for a rendezvous; yet I shall take order, according to the desire of the houses, to have a rendezvous either there, or not far off, on Wednesday next. I remain, your, &c. T. FAIRFAX. P. S. I shall, according to my duty and the desire of the houses, do my utmost to keep the Army in good order, to which I find it absolutely necessary that there be some Pay immediately sent down, otherwise this country may suffer much. This Letter being long, and the business requiring haste, I desire that this may serve at present to be communicated to both houses."

A Declaration, for expunging that of the 30th of March against the Proceedings of the Army.] The commons sent up, at the same time, a Declaration for repealing and expunging another of the 30th of March last, to which the lords gave their concurrence. This extraordinary Recantation runs thus:

"Whereas the lords and commons did, by a Declaration of the 30th of March last, declare their sense upon a Petition, with the Representation thereunto annexed: and whereas they have been since informed, That the Petioners intended not thereby to give any offence to the parliament; and calling to mind the great and eminent services done by the Army to the parliament and kingdom, the lords and commons, being tender of the honour of the said Army, have thought fit to ordain and declare, and be it declared and ordained by the said lords and commons in the parliament of England assembled, and by the authority of the same, That the said former Declaration of the 30th of March, be razed and expunged out of the Books of the said houses, and wholly taken away and made void; and that no member of the said Army shall receive any damage, prejudice or reproach, for any thing in the said former Declaration."

To shew more evidently what a panic both houses were in at this time, the Commons sent to let their lordships know that they intended to keep the next day for private Humiliation and Fasting in their own house. "This motion was made by field-marshal general Skippon, who, with a doleful countenance and lamentable voice, exhorted the house to humble themselves before God; and to do those things which a zealous and conscientious Army, who had done so much good service, desired of them." Adding, "That the Army was a formed body, not to be provoked, which would be upon them before they were aware."* The lords ordered the same, in regard of the Distractions of the whole kingdom. The commons, however, had the courage to put a negative on the question, Whether to give any further Answer to the particulars in the summary from the Army? But this was done only by a single vote; 78 against 77. Soon after a motion being made for concurring with the lords in their Vote of the 20th of May, for removal of the King to Oatlands, it passed in the negative by 119 against 86.

A Letter from Lord Montague concerning the King's coming to Newmarket.] June 9. A Letter from the commissioners with the king was read, and a Relation touching his majesty's removal from Holdenby. It was afterwards ordered to be printed and published:†

To the Right Hon. the Earl of MANCHESTER, Speaker of the House of Peers, pro tempore, these.

"Childersley, June 8, 1647.

"My lord; Upon Saturday, as we were upon the way between Huntingdon and Cambridge, in our journey, as we supposed, towards Newmarket, we were met by col. Whaley, who acquainted us with the first orders he had received from the general to attend the king with his regiment at Holdenby, in the room of col. Greaves; and also with such other orders as he received from his excellency, after it was known unto him that his majesty was upon his march towards Newmarket; whereby he was directed, at his meeting of the king upon the way, to entreat his majesty to take up his quarters at the next convenient house, which he had assigned to be at Childersley, the late dwelling-house of sir John Cutts; wherewith his majesty was contented. At the same time we also received two letters from the general, wherein he acquainted us, That the changing of the guards at Holdenby, and the removal of the king, had been without his privity; and that he had sent col. Whaley, with his regiment, to attend his majesty back to Holdenby: but those orders which col. Whaley last received, for waiting upon the king to such convenient quarters as should be next to the place where he met him in the way, were given, as it seems, after the date of those letters he directed to us, and upon his knowledge of the King's being advanced as far as Huntingdon.—Upon Saturday in the afternoon the king came accordingly to this place, and we returned Answer to his excellency's two Letters; wherein we acquainted him with our condition, and that we had sent to the parliament for directions, which we speedily expected. Upon Saturday, late in the night, sir Hardress Waller and col. Lambert came unto us from the general, and desired our advice what was fittest to be done upon this accident, which had befallen by the disorder of the soldiers, without

* Hollis's Memoirs, p. 105.

† London, printed for John Wright at the King's Head in the Old Bailey, 1647.

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his excellency's knowledge; and withal propounded unto us the king's return to Holdenby, whereto his majesty had declared his utter averseness to col. Whaley; insisting that he would not be posted from place to place, but, since they had removed him against his will from Holdenby, he would now go to Newmarket. To this we durst not, in the condition we were, presume to give any advice at all before we received new directions from you; and that was all the Answer we returned.—Upon Monday the general himself, the lieut. general, and other chief officers of the army, came hither; and were much pressed by the king that, for his conveniency, he might remove to his own house at Newmarket; protesting that he would not return to Holdenby. Herein, though much desired, we could not take upon us to advise or act any thing; conceiving that no new guards could be put into the capacity of the former, who, by ordinance of parliament, were immediately to receive and observe our orders, and could not be countermanded by any other authority than that of both houses. His excellency, after much discourse, returned to his quarters at Cambridge, having promised the king that he should have their resolution before morning; and accordingly col. Whaley hath now received orders to attend the king to Newmarket, whither we also waited upon him, expecting hourly to receive your directions; which are hereby earnestly intreated, and will be extremely welcome unto your, &c. EDW. MOUNTAGUE. P S. In regard I was straightened in time when my last letter was written, I have here inclosed sent you a perfect Relation of what passed upon the 4th of this instant June, when the King spake publickly with the soldiers at Holdenby."

Narrative of what passed between his Majesty and Cornet Joyce.] The Narrative was as follows:

The NARRATION betwixt his Majesty and Cornet Joyce, &c.

"The party being drawn up in the first court before the house, his majesty came down, and, standing upon the top of the steps, directed his speech to Cornet Joyce; who, representing the commander of the party, stood before the horse at the foot of the stairs. The king said, 'That cornet Joyce having, though at an unseasonable hour of the night, acquainted him that he was come to convey his majesty to the army, his majesty according to his promise was there to give his Answer in presence of them all; but first he desired to know by whom he was authorized to propound this to his majesty.' Mr. Joyce answered, 'That he was sent by authority from the Army.' The king replied, 'That he knew no lawful authority in England but his own, and, next under him, the parliament;' but withal asked, 'Whether he had any authority from sir Tho. Fairfax; and whether in writing?' It being replied, 'That sir Tho. Fairfax was a member of the Army; the king insisted that he was not answered; sir Tho. Fairfax, being their general, was not properly a member, but head of the Army. Joyce said,' That at least he was included in the Army; and that the soldiers present were his commission, being a commanded party out of every regiment.' The king replied, 'That they might be good witnesses, but he had not seen such a commission before; and if they were his commission, it was an authority very well written, all handsome young men.' The king proceeded to say, 'That he came to Holdenby, not by constraint, (though not so willingly as he might have done) to the intent he might send Messages to his two houses of parliament, and receive Answers from them: that accordingly he had sent several Messages to them, and thought himself in a sort obliged to stay for their Answers which were not come; yet, if they gave him such reasons as might convince his judgment he would go with them; nay, the commissioners should not stop him.' He desired therefore to know the reasons they could give him for this journey. Joyce replied, 'That a plot, for these 4 years last contrived by some members of both houses, to overthrow the laws of the kingdom, and a design to convey his person to an army newly to be raised for that purpose, were the causes of their undertaking this employment; and hoped would prevail with his majesty to go willingly with them, thereby to defeat the purposes of those that would otherwise, by the countenance of his person, perturb the peace of the kingdom: and that his being with the Army was the readiest expedient he could think upon to procure him a speedy and satisfactory Answer to his former Messages. The king returned, 'That he knew not a syllable of any such design or intended army: and that to seek an Answer with so many gallant men at his back, were to extort it, which were very unhandsome; besides that, their proposal looked like an opposition to the parliament, which he desired not, nor would ever infringe the just privileges of the laws of the land: that these reasons induced him not to go willingly; and therefore he desired to know what they intended, if he would not go with them.' It was answered, 'That they hoped his majesty would not put them to use those means, which otherwise they should be necessitated to, if he refused. For the commissioners, or any else that refused, they knew well what course to take with them.' The king protested, That unless they gave him satisfaction to the reasonable and just demands he should make, he would not go with them, unless they carried him by absolute force; and he thought they would well think upon it before they would lay violent hands upon their king: that the commissioners had never put any constraint upon him; they were more civil. Then he propounded, That he might be used with honour and respect; that they would not force him in any thing contrary to his conscience, or his honour; though he hoped he had long ago so fixed his resolutions, that no force could cause him to do a base thing: though they were masters of

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his body, yet his mind was above their reach. To all those propositions they consented with a general acclamation: Mr. Joyce adding, 'That their principles were not to force any man's conscience, much less the king's.' Then his majesty desired that those which attended him, and some other of his servants, against whom they had no just exceptions, might be permitted to wait upon him. This being agreed, the king asked whither they would have him go. Oxford was first nominated, then Cambridge. The king named Newmarket, which accepted, he desired care might be taken to carry his stuff; wherein Mr. Joyce said something was done already. Other expressions of their respect to the king, of the armies desire to see him with them, and of their fidelity towards him, were intermixed in the discourse, together with complaints of the proceedings of the parliament towards them; which the king said, He would not adjudge, unless he heard both sides.—The king having ended, at the desire of the commissioners, he gave them leave to speak to the troops; who, having repeated the sum of their Instructions from both houses, whereby they were appointed to attend his majesty at Holdenby till further orders, did publickly protest against his removal, and against this act of the soldiers, as unlawful in itself, and dangerous to them; requiring so many of them, as would stand by the commissioners in opposition thereof, to declare themselves accordingly. But it being with a general voice answered, 'That not a man of them would do so,' the commissioners added, 'That, as honest men, they held themselves obliged to discharge the trust reposed in them, to the utmost of their power; and, agreeable thereunto, if they had force for the service, they would withstand them to the loss of their lives; but since they were not in a capacity at present, they must acquiesce.' As the king turned back to go into the house, major Tomlins declared to his majesty, in the presence of the commissioners, That according to the orders they gave him, he had endeavoured what he could to induce the troops assigned for the ordinary guards, which he commanded in the absence of col. Greaves, to draw up and make resistance; but without effect, they all refusing to obey him therein."

Petition from the City of London, on occasion of the Differences between the Parliament and the Army.] June 10. Both houses had now a guard of a whole regiment of Trained Bands, placed every morning at 7 o'clock in the precincts of the Parliament Close, for their security. And this day a Petition was presented to the lords by alderman Cullum, with other aldermen, &c. which was as follows:

To the Right Hon. the LORDS assembled in the High Court of Parliament; The HUMBLE PETITION of the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled,

"Humbly sheweth; That as your petitioners acknowledge the parliament of England to be the supreme judicature of the kingdom, from whom the subjects of this nation have found shelter in danger, and relief in distress; so now your petitioners having, with the whole kingdom, a great share and interest in these privileges, do therefore at this time humbly, yet earnestly, present these their important Desires to this honourable house: 1. That all honourable ways and means may be used to prevent the further effusion and shedding of Christian blood; and, to that end, that all just satisfaction may be given to the Army, and all other soldiers who have adventured their lives for the defence of this parliament and kingdom. That though the condition of your affairs do not enable you to give full satisfaction at present, yet that their Accounts may be adjusted and put into a certain way of payment, to the quieting of many thousand discontented persons; which we humbly conceive will be much to the glory of God, the honour of the parliament, and the quiet of the kingdom. 2. That, according to our allegiance, and the Covenant and Agreement of both nations, his majesty's royal person may be preserved and so disposed of that the parliaments of both kingdoms may have free access unto him, that thereby a right understanding may be obtained between them; and this tottering church and kingdom, after all our fears, sorrows, and sufferings may enjoy the blessing of a well-grounded and long-desired Peace, whereby this kingdom may be the better enabled to send speedy relief and help to miserable bleeding Ireland. 3. That for the better defence and security of the parliament and city in these tumultuous and troublesome times, this honourable house will be pleased to renew so much of an Ordinance of the 17th Jan. 1645, as concerneth the raising, maintaining, and ordering of horses, and power of making searches, whereby the committee of the militia of London, and parishes mentioned in the weekly bills of mortality, may be the better enabled to suppress all tumultuous assemblies, and to prevent any dangers that may happen to the parliament and city. And as this city from the beginning of these troubles hath faithfully adhered to the parliament, so we are resolved, by the blessing of God, never to desert the same; but, with the utmost of our lives and estates, will stand and fall, live and die, with the parliament of England, according to our Covenant. And your Petitioners shall pray, &c."

The persons who presented this Petition being called in, the Speaker, by direction of the house gave them this Answer: "The lords acknowledge the constancy of the lord mayor, aldermen, and commons in common-council assembled in the city of London, to have been such, as that you have never been alienated from your fidelity to the parliament by the changes and alterations that have been in the condition of their affairs: they likewise do acknowledge this your care hath been the princi-

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pal means, next under the providence of the Almighty, for upholding the honour and authority of the parliament; and likewise for the preservation of their safety in times of most pressing and imminent danger: the great reality and good affections thus seasonably expressed by you, who represent this renowned city of London, in this your Petition, the lords receive with gladness, and have commanded me to return you their heartiest thanks; assuring you that, as to the particulars of your Petition, they will put them into such a way as they doubt not but will give you full satisfaction."

The lords ordered that this Petition and Answer be forthwith printed and published, and that an Ordinance be prepared and brought into their house, pursuant to the desires of the city.

The commons had received the same Petition from the city two days before, and named a committee also to bring in an Ordinance according to the desire of the petitioners. And Mr. Whitlocke says, "They had the heartiest thanks the house could express, for their constant affections to the parliament, and for providing guards so seasonably for the safety of it; the continuance of which care was desired."

Self-denying Resolutions of the Commons.] The commons had been some time in framing a Self-denying Ordinance for their own Members only; and this day the debate of it was again resumed; after which they passed the following Votes: "That no Members shall receive any Profit of any Office, Grant, or Sequestration from the parliament: That the benefit such Members have received shall be paid, for the use of the common-wealth, to the committee of accounts. That the Lands and Estates of all the member of the house be liable to the law for payment of their debts." A day was also fixed to hear informations against members; and that no members hereafter shall receive any reparation for damages or losses sustained by these times, till the public debts be first satisfied.

Engagement entered into by the Army, containing the Terms on which they agree to disband.] June 11. The lords received advice from the earl of Nottingham, one of the commissioners sent down to the Army, communicated in the following letter, &c.

To the right hon. the earl of MANCHESTER, Speaker of the House of Peers, pro tempore.

"May it please your lordship; The Committee got last night to Cambridge, and immediately applied themselves to the general; and, about 10 o'clock, acquainted him and his officers with our Instructions and your Votes and Resolutions, and left copies of them in writing. The general appointed 8 o'clock in the morning to give his Answer, which we received by word of mouth about 11; but the committee desired to have it in writing, and about one they received the following Answer from the general and his officers by Mr. Rushworth:

'By the Engagement of the Army at the 'last general rendezvous, near Newmarket, 'your lordship and the rest of the commissioners 'may see what way the army had put them-'selves into for avoiding confusion or uncer-'tainties; and, in order to a general satis-'faction in the point of disbanding, you may 'perceive by that a ready and sure way to 'bring that affair unto an issue, without any 'course that may endanger disorders or other 'inconveniencies; but if you be, by your 'Instructions, bound up, or shall, of yourselves, 'think fit to see the Votes and Resolutions of 'both houses communicated immediately to 'the several regiments, the Army being now at 'rendezvous, I shall, with my officers, be 'ready to attend your lordship and the rest 'of the Commissioners, in pursuance of your 'Instructions.'

"Upon perusal of this Answer we have taken our instructions into consideration, and find ourselves obliged thereby to cause your Votes and Resolutions to be read, this day, at the rendezvous at the head of every regiment. The general's Answer having relation to an Engagement of the Army, and we finding the same in print, I send it your lordship inclosed. This afternoon we have attended the rendezvous, and immediately imparted the Votes and Resolutions to the army, and find the general sense of the army conformable to that Engagement. I am, &c. C. NOTTINGHAM. Royston, June 20, 1647."

A SOLEMN ENGAGEMENT of the Army, under the Command of his Excellency sir Tho. Fairfax, with a Declaration of their Resolutions as to disbanding, &c. read, assented unto, and subscribed, by all the Officers and Soldiers of the several Regiments, at the general Rendezvous near Newmarket, June 5, 1647.*

"Whereas, upon the Petition intended and agreed upon in the Army, in March last, to have been presented to the General, for the obtaining only of our due and necessary concernments as soldiers, the honourable house of commons being unseasonably prepossessed with a copy thereof, and (as by the sequel we suppose) with some strange misrepresentations of the carriage and intention of the same, was induced to send down an order for suppressing the Petition; and, within 2 or 3 days after, (upon further misinformations and scandalous suggestions of the like or worse nature, and by

* From the Original Edition, printed by Roger Daniel, Printer to the University of Cambridge. On the title whereof is this Indorsement. "It is my Desire that the humble Representation of the Dissatisfactions of the Army, together with their Engagement, be forthwith printed and published. Given under my Hand the 8th day of June, 1647. T. Fairfax."

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the indirect practices of some malicious and mischievous persons, as we suppose, surprizing or otherwise abusing the parliament) a Declaration was published, in the name of both houses, highly censuring the said Petition; and declaring the petitioners, if they should proceed thereupon, no less than enemies to the state and disturbers of the public peace: and whereas, at the same time and since, divers eminent officers of the army have been brought into question and trouble about the said Petition; whereby both they and the rest of the officers were disabled or discouraged, for the time, from further acting or appearing therein on the soldiers behalf:—And whereas, by the aforesaid proceedings and the effects thereof, the soldiers of this army (finding themselves so stopped in their due and regular way of making known their just grievances and desires to and by their officers) were enforced to an unusual, but in that case necessary, way of correspondence and agreement amongst themselves; to chuse out of the several troops and companies several men, and those out of their whole number to chuse two or more for each regiment, to act in the name and behalf of the whole soldiery of the respective regiments, troops, and companies, in the prosecution of their rights and desires in the said petition; as also of their just vindication and righting in reference to the aforesaid proceedings upon and against the same, who have accordingly acted and done many things to those ends; all which the soldiery do own and approve as their own acts:—And whereas afterwards (upon the sending down of field-marshal Skippon, and those other officers of the army that were members of the house of commons, to quiet distempers in the army*) fresh hopes being conceived of having our grievances and desires again admitted to be made known and considered in a regular way, and without such misrepresentations as formerly; the officers and soldiers of the army, except some few dissenting officers, did again join in a Representation of their common grievances; and the officers, except as before, did agree upon a narrative Account of the Grounds, Rise, and Growth of the Discontents in the Army, and their proceedings in relation thereunto, with an overture of the best expedients to remove or satisfy the same; both which were presented to the said members of the house, and from them reported to the house:—And whereas the parliament, having thereupon voted and ordered some particulars only towards satisfaction of our Grievances, hath since proceeded to certain resolutions of sudden disbanding the army by pieces; which resolutions being taken, and to be executed before full and equal satisfaction be given to the whole army in any of the grievances; before effectual performance of that satisfaction in part, which the preceding votes seemed to promise, as to some of the grievances; and before any consideration at all of some others most material; (as by the results of a general Council of War on Saturday, May 29, was in general declared, and is now more fully remonstrated in particulars, by a Representation thereof agreed upon by us all) we cannot but look upon the said resolutions of disbanding us in such manner, as proceeding from the same malicious and mischievous principles and intentions, and from the like indirect practices of the same persons, abusing the parliament and us, as the former proceedings against us beforementioned did; and not without cruel and bloody purposes, (as some of them have not stuck to declare or intimate) after the body of the army should be disbanded, or the soldiers divided from their officers; then to question, proceed against, and execute their malicious intentions upon, all such particular officers and soldiers in the army, as had appeared to act in the premises in behalf of the army:—And whereas, upon a late Petition to the General from the Agitators in behalf of the soldiery, grounded upon the preceding considerations, relating to the said Resolutions of disbanding, the said general council of war (to prevent the danger and inconveniences of these disturbances, or tumultuous actings or conduences, which the dissatisfactions and jealousies, thereupon also grounded, were like suddenly to have produced in the army) did advise the general first to contract the quarters of the army, and then to draw the same to an orderly rendezvous for satisfaction of all; and that his excellency would immediately send up to move and desire the parliament to suspend any present proceedings upon the said resolutions of disbanding, to resume the consideration of the grievances and desires sent up from the army, and not to disband it in pieces before just and equal satisfaction given to the whole:—And whereas some of the regiments appointed for disbanding, upon notice thereof have withdrawn themselves from their quarters adjacent to their appointed rendezvous and drawing towards the head-quarters; and the rest contracted their quarters by order, according to the said advice of the council of war: we, the officers and soldiers of the several regiments hereafter named, are now met at a general rendezvous; and the regiments appointed as aforesaid to be disbanded have not appeared, nor can appear; but are rather resolved not to appear at the several and respective rendezvous, appointed as aforesaid for their disbanding: and divers other things have been done by several other parties or members of the army, necessarily relating to the good and concernment of the whole in these affairs.—Now, forasmuch as we know not how far the malice, injustice,

* These were Ireton, Fleetwood, Harrison, with many other officers in the army, who were about this time elected into the house of commons, in the room of such as were dead, or had been expelled for adhering to the king; whereby they most effectually set aside their Self-denying Ordinance, and soon after gained a majority against the Presbyterian party in parliament.

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and tyrannical principles of our enemies, that have already prevailed so far to abuse the parliament and army, as is aforementioned in the past proceedings against the army, may farther prevail to the danger or prejudice of ourselves, or any officers or soldiers of the army, or other persons that have appeared to act any thing in the behalf of the army; or how far the same may farther prevail to the danger or prejudice of the kingdom, in raising a new war or otherwise: therefore, for the better prevention of all such dangers, prejudices, or other inconveniences that may ensue; and withal for the better satisfaction of the parliament and kingdom concerning our desires of conforming to the authority of the one, and providing for the good and quiet of the other, in the present affair of disbanding; and for a more assured way whereby that affair may come to a certain issue, (to which purposes we herein humbly implore the continued presence and assistance of God, the righteous judge of all) the officers and soldiers of the army subscribing hereunto, do hereby declare, agree, and promise, to and with each other, and to and with the parliament and kingdom, as followeth:—First, That we shall chearfully and readily disband, when thereunto required by the parliament; or else shall many of us be willing, if desired, to engage in further services either in England or Ireland; having first such satisfaction to the army, in relation to our Grievances and Desires heretofore presented, and such security that we ourselves, when disbanded and in the condition of private men, or other the free-born people of England (to whom the consequence of our case does equally extend) shall not remain subject to the like oppression, injury, or abuse, as in the premises hath been attempted, and put upon us while an army, by the same men's continuance in the same credit and power (especially if as our judges) who have in these past proceedings against the army so far prevailed to abuse the parliament and us, and to endanger the kingdom; and also such security, that we ourselves, or any members of the army, or others who have appeared to act any thing in behalf of the army, in relation to the premises before recited, shall not, after disbanding, be any way questioned, prosecuted, troubled, or prejudiced, for any thing so acted, or for the entering into, or necessary prosecution of, this present agreement: We say, having first such satisfaction and securities in these things, as shall be agreed unto by a council, to consist of those general officers of the army, who have concurred with the army in the premises, with two commission-officers and two soldiers to be chosen for each regiment, who have concurred, or shall concur, with us in the premises and in this agreement; or by the major part of such of them who shall meet in Council for that purpose, when they shall be thereunto called by the general.—Secondly, That without such satisfaction and security as aforesaid, we shall not willingly disband or divide, or suffer ourselves to be disbanded or divided. And whereas we also find many strange things suggested, or suspected, to our great prejudice, concerning dangerous principles, interests, and designs in this army; (as overthrowing of magistracy, the suppressing or hindering of Presbyterian Government and establishing of Independent, or upholding of a general licentiousness under pretence of liberty of conscience, and many such things) we shall very shortly tender to the parliament a vindication of the army from all such scandals, to clear our principles in relation thereunto: and, in the mean time, we do disavow and disclaim all purpose or designs, in our late or present proceedings, to advance or insist upon any such interest; neither would we, if we might and could, advance or set up any one particular party or interest in the kingdom, though imagined never so much our own; but should much rather study to provide, as far as may be within our sphere or power, for such an establishment of common and equal right, freedom, and safety to the whole, as all might equally partake of, that do not (by denying the same to others, or otherwise) render themselves incapable thereof."

A Letter from General Fairfax and the Army to the City of London.] June 11, p. m. A deputation from the City waited on the two houses, and presented them with the following copy of a Letter they had received from the General and principal Officers of the Army, with their Desires thereupon; which we give from the Lords Journals:

To the Right Hon. the Lord Mayor, Aldermen and Common-Council of the City of London.

"Right Hon. and worthy Friends; Having, by our Letters and other Addresses presented by our General to the honourable house of commons, endeavoured to give satisfaction of the clearness of our just Demands; and also in Papers published by us remonstrated the Grounds of our Proceedings in prosecution thereof; all which having been exposed to public view, we are confident have come to your hands, and at least received a charitable construction from you: the sum of all which our Desires as Soldiers, are no other than a desire of satisfaction to our demands as soldiers, and reparation upon those who have, to the utmost, improved all opportunities and advantages, by false suggestions, misrepresentations, and otherwise for the destruction of this army, with a perpetual blot of ignominy upon it; which we should not value, if it singly concerned our own particulars, being ready to deny ourselves in this, as we have done in other cases for the kingdom's good; but, under this pretence, finding no less involved in it than the overthrow of the privileges both of parliament and people; wherein, rather than they shall fail in their designs, or we not receive in the eyes of all good men what is just, do endeavour to engage the kingdom in a new war; and this singly by them who, when the truth

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of these things shall be made appear, will be found the authors of those evils that are feared, as having no other way to protect themselves from question and punishment, but by putting the kingdom into blood, under pretences of the honour of; and their love to, the parliament; as if that were dearer to them than us; or as if they had given greater proof of their faithfulness to it than we. But we perceive that, under these veils and pretences, they seek to interest their design in the city of London, as if that city ought to make good their miscarriages, and should prefer a few self-seeking men before the welfare of the public; and indeed we have found these men so active to accomplish their designs, and to have such apt instruments for their turn in that city, that we have cause to suspect they may engage many therein, upon mistakes which are easily swallowed in times of such prejudices against those that have given (we speak it without vanity) the most public testimony of their good affections to the public, and to that city in particular.—For the thing we insist upon as Englishmen, and surely our being soldiers hath not stript us of that interest, although our malicious enemies would have it so: we desire a Settlement of the Peace of the kingdom, and of the Liberties of the subject, according to the Votes and Declarations of parliament; which, before we took up arms, were, by the parliament, used as arguments and inducements to invite us and divers of our dear friends out; some of which have lost their lives in this war; which being, by God's blessing finished, we think we have as much right to demand, and desire to see, a happy settlement, as we have to our money and the other common interest of soldiers, which we have insisted upon. We find also the ingenuous and honest people, in almost all the parts of the kingdom where we come, full of the sense of ruin and misery, if the army should be disbanded before the peace of the kingdom, and those other things before-mentioned, have a full and perfect settlement.—We have said before, and profess it now, we desire no Alteration of the Civil Government. We desire not to intermeddle with, or in the least to interrupt, the settling of the Presbyterian Government; nor do we seek to open a way to licentious Liberty, under pretence of obtaining ease for tender consciences. We profess, as ever, in these things, when the State have once made a settlement, we have nothing to say but to submit or suffer; only we could wish that every good citizen, and every man that walks peaceably in a blameless conversation, and is beneficial to the commonwealth, may have liberty and encouragement, it being according to the just policy of all states, and even to justice itself.—These, in brief, are our Desires and the things for which we stand, beyond which we shall not go; and for the obtaining of these things we are drawing near your city; professing sincerely from our hearts we intend no evil towards you; declaring with all confidence and assurance, that if you appear not against us in these our just desires, to assist that wicked party that would embroil us and the kingdom, neither we nor our soldiers shall give you the least offence: we come not to do any act to prejudice the being of parliaments, or to the hurt of this, in order to the present settlement of the kingdom: we seek the good of all, and we shall here wait, or remove to a farther distance there to abide, if once we be assured that a speedy settlement of things be in hand, until they be accomplished; which done, we shall be most ready, either all of us, or so many of the army as the parliament think fit, to disband or go for Ireland: and although you may suppose that a rich city may seem an enticing bait to poor hungry soldiers to venture far to gain the wealth thereof; yet, if not provoked by you, we do profess, rather than any such evil should fall out, the soldiers shall make their way through our blood to effect it: and we can say this for most of them, for your better assurance, that they so little value their pay in comparison of higher concernments to a public good, that rather than they will be unrighted in the matter of their honesty and integrity, which hath suffered by the men they aim at, and desire justice upon; or want the settlement of the kingdom's Peace and theirs, with their fellow-subjects Liberties, they will lose all: this may be a strong assurance to you that it is not your wealth they seek, but the things tending in common to your and their welfare, that they would attain: you shall do like fellow-subjects and brethren, if that you solicit the parliament for them on their behalf. —If after all this you, or a considerable part of you, be seduced to take up arms in opposition to, or hinderance of, these our just undertakings, we hope, by this brotherly premonition, to the sincerity whereof we call God to witness, we have freed ourselves from all that ruin which may befal your great and populous city, having hereby washed our hands thereof. We rest your affectionate friends to serve you, THOMAS FAIRFAX, OLIVER CROMWELL, ROB. HAMMOND, THO. HAMMOND, HARDRESS WALLER, NATH. RICH; THO. PRIDE, HENRY IRETON, ROBERT LILBURNE, JOHN DESBOROUGH, THO. RAINSBOROUGH, JOHN LAMBERT, THO. HARRISON. Royston, June 10, 1647."

The DESIRES of the City of London in Consequence of the foregoing Letter. Commune Council. tent. in Camera Guild. Civit. London 11° Die Junii, 1647.

" Forasmuch as this Court of Common Council hath received a Letter, bearing date the 10th of this instant June, subscribed by his Excellency sir Tho. Fairfax, and other commanders of the Army, signifying, for reasons therein expressed, the drawing the army near the city; the which, in this dear time, may occasion great scarcity of provisions therein; which we hope is not the meaning, nor will be the matter of contentment to the said army: for prevention of which this court doth humbly

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pray, if it may seem good to the hon. houses, to send to his excellency the general not to quarter the Army, nor any part thereof, within 25 miles of this city, hoping there shall be no just cause given them to do otherwise; and that it may please the houses to give to this court such further directions in this weighty business as, in their grave wisdoms, shall seem meet."

The Parliament require the General not to advance within 40 *Miles of London.*] After reading the foregoing Letter from the general to the lord mayor, and the city's Desires thereupon, in the house of lords, the messengers that presented them were called in again, and the Speaker gave them this Answer:—"That the lords receive daily expressions of the fidelity of the city of London, for which their lordships return them thanks; and will speedily send a Letter to sir Tho. Fairfax, not to quarter the Army within 30 miles of the city; and their lordships will speedily give them advice in relation to the whole business." But afterwards, at the desire of the commons, the distance was extended to 40 miles; and both houses agreed to send the following Letter accordingly to sir Tho. Fairfax, signed by their respective Speakers:

"Sir; The houses having this day received information from their commissioners, of the advance of the Army near the city of London, thereby threatening danger to the parliament and city; they have commanded us, in their names, to require you so to dispose your motions and quarters, that no part of the army may quarter within 40 miles of London; that so the dangerous consequences, which may arise by a fact so highly prejudicial to the kingdom, may be timely prevented. We rest, &c."

Petition from the Counties of Norfolk and Suffolk, to the General, against disbanding the Army.] June 12. A Letter from the earl of Nottingham, at Royston, was read, with some Papers inclosed:

For the Right Hon. the Earl of MANCHESTER, Speaker of the House of Peers.

"My lord; Since the resolution taken by this committee last night, to send two of our number to London, we do find that every hour doth administer unto us fresh occasion of address unto you. This morning we having been to hear a sermon at Royston, where the general and his officers were, we did observe, upon our return home, many persons, ministers and others, about 100 in number, on horseback, styling themselves the peaceable and well-affected Inhabitants of the county of Norfolk; who, meeting the General in the street, one of the said persons, in the name of all the rest, presented a Petition to him, after some time spent in a speech to his excellency. This morning, also, information came unto us that, the last night a Letter was sent to the city of London, signed by the General and divers of the chief officers, declaring the intentions of the Army to come unto the city; which, so soon as we had notice of, and were able to recover copies of them, it was the resolution of this committee that both houses should be acquainted therewith; and I have accordingly here inclosed sent the copies of them. The printed copies of the Votes and Resolutions of both Houses, sent down unto us, we shall endeavour to see distributed, the best we can, to the several regiments; though we find them to go off but slowly. Your, &c. C. Nottingham. Royston, June 11."

The Letter from the Army to the City, mentioned in the above, we have already given: the Petition was in these words:

To his Excellency sir THO. FAIRFAX, Knt. Captain-General of the Parliament's Forces: The HUMBLE PETITION of the peaceable and well-affected Inhabitants of the Counties of Norfolk and Suffolk, together with the City and County of Norwich, earnestly endeavouring after the Prosperity of the Parliament and the Peace of the kingdom;

"Sheweth, That whereas your excellency has been appointed commander in chief over those free commons of England, that have been invited by the parliament to stand up in defence of themselves and fellow subjects in time of imminent danger, against all arbitrary government, tyranny, and oppression; and that the parliament has, by divers Declarations, Remonstrances, and Protestations, engaged themselves, both to God and the kingdom, to endeavour to the utmost to maintain the antient government of this kingdom, and to preserve the Rights and Liberties of the subjects, and to lay hold of the first opportunity of procuring a safe and well-grounded Peace; notwithstanding all which, there is now an appearance of a most horrrid design to ruin the native Liberties of the subject whereby discontents are fomented in the hearts of the people, and the kingdom like to be divided into factions, to the imminent danger of embroiling us yet again in blood: and from the policy of the complotters of this design, we humbly conceive, have already proceeded those sad obstructions of our free Addresses to the parliament, in representing our Grievances and making humble offers to their wisdom of just remedies; which have imposed this necessity upon us humbly to implore your excellency's assistance to mediate with the parliament, in the behalf of us and all the free commons of England, for the speedy and peaceable establishment of those our native liberties, which have now cost the kingdom such vast expence of blood and treasure: that all obstructions that lay in the way to hinder the Addresses of the free subjects of England to the parliament, in representing their Grievances, fears, doubts, and jealousies, as also offers of remedy, might be so speedily removed, as that a firm peace and union might be yet again enjoyed in our distracted kingdom, according to the intentions of the parliament, the frequently declared engagements of the army, and the ardent expectation of all the

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well-affected of the kingdom. And your petitioners shall ever pray."

This Petition was subscribed by about 1400 of the inhabitants.

After reading the foregoing Petition, the lords ordered that a Letter should be written to the commissioners, to let them signify to the Army that the parliament is in a way of settling the Peace of the kingdom; and that it is desired they should declare what the great design mentioned therein is, with the particulars of the matters and persons, else they must take it as a reflection upon the whole house. The Speaker was ordered to draw up a Letter to this purpose, and report it to the house. They also resolved that all the lords shall be served with an order to attend on Monday the 14th instant, about the great affairs of the kingdom; and all such who have had leave to be absent to be recalled.

Sir Tho. Fairfax's Letter, advising that the Army is marching to St. Alban's.] June 12. p. m. A Letter from sir Tho. Fairfax was read, addressed to the earl of Mancester, Speaker of the house of peers.

"My lord; The letter from both houses, concerning the disposing of quarters of the Army, so as no part may be within 40 miles of London, I received but this morning between 9 and 10 o'clock: the Orders for removing to new quarters about St. Alban's were given out yesterday, without any appointment of rendezvous for this day, so as the several regiments are already upon their march, in several ways, from their last quarters to their new, and it is not now possible to stop them. The quarters now asigned, the nearest to London, are 20 miles distant; and of the reasons pressing me to this motion, besides what my last letter to yourself does express, I have given the commissioners here a further account, to which I refer you, since now the disposing of the quarters cannot at present be otherwise. I shall, for the better ordering of the Army, be this night at St. Albans, appointed before for the head quarters; where I shall wait your further resolutions on Monday. I shall, by the next, give your lordship an account of several Petitions I have received from some counties. I remain Your &c. THO. FAIRFAX."

Next, a Letter from the earl of Nottingham, with sir Tho. Fairfax's Reasons for removing the Army nearer to London was read; and a copy of a Letter from the Commissioners to the General, declaring their dissent to that removal.

The same day both houses agreed to the following additional Instruction to be sent to their Commissioners with the Army, viz. "To use their best endeavours fully to know the particulars which the Army desires, and will insist on, for their satisfaction." *

* Mr. Whitlocke writes, "That this day, upon a rumour that the Army was coming towards London, all the Trained-Bands were raised on pain of death, and strong guards set; the shops were also shut up, but in a day or two opened again, and all things were quiet in the city."

Sir Tho. Fairfax sends to the Parliament Petitions from several Counties in favour of the Army.] June 13. Being Sunday, both houses sat again to do business; when another Letter from sir Tho. Fairfax, addressed to the Speaker of the house of peers, was read, with two Petitions inclosed; the one from Norfolk, the other from Essex, to mediate with the parliament for setting of Peace:

"My lord; St. Albans, June 12, 1647.

"Having had these inclosed Petitions, in the names of the counties of Norfolk, Suffolk and Essex, directed and delivered to me by the hand of several inhabitants of the said counties, together with their desire, through my mediation, to have their Grievances contained therein humbly presented to the honourable houses of parliament; I assured them that I would, with all convenient speed, make them known unto you, and also use my uttermost endeavours for the speedy obtaining their just requests: and therefore, conceiving it my duty, I thought fit to tender them to your lordships; not doubting but that, according to the encouragement I have given them, you will please to consider and redress them therein as speedily as your other affairs will permit. I remain &c. T. FAIRFAX. St. Albans, June 12."

The Petition from Essex, herein mentioned, we omit, because that from Norfolk and Suffolk, given before, is of the same tenor; as were several more from different counties, all praying sir Tho. Fairfax not to disbanded the Army till the general Grievances should be redressed. *

June 15. On notice of a nearer approach of the Army, the commons sent to desire the Committee of the Militia of London to double their guards about the houses, to prevent any interruption or disturbance. Ordered, also, That halberts, half-pikes, and other arms, be brought into the outward rooms forthwith, as if they expected an immediate storm.

The Parliament resolve that the King be brought to Richmond] June 15. p. m. The commons sent up the following Votes for the lords concurrence, in relation to the Removal of the King; which were agreed to, and ordered to be sent to sir Tho. Fairfax; viz. "Ordered, That the General be required to deliver up the Person of the King to such persons as both houses shall appoint; to be placed at Richmond under such a guard, and in such manner, as they think fit; to the intent that the Propositions agreed upon by both kingdoms may be speedily presented to his majes-

* Mr. Whitlocke here observes, "That it was strange to see how several counties, with the citizens of London, began to make all their application to the General and Army, omitting the parliament; all looked upon the Army in the chief place, and were afraid of doing any thing contrary to them."

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ty, for the settling a safe and well grounded Peace. That the persons to whom the General is required to deliver the Person of the King, shall be the commissioners formerly appointed to receive the Person of the King, at Newcastle, or any three of them."

Representation from the Army to the Parliament, containing their Desires.] June 16. The lords received the following Letter from the Parliament's Commissioners with the Army, directed to their Speaker:

"May it please your lordship; As we signified to you by ours late last night, we were in hopes then to have received from the Army what it was they desired, and would insist upon, and to what end; somewhat after 12 o'clock the general sent unto us, and prayed us to sit up some time, for that he would speedily send us the Answer. In expectation whereof, such of us as were not before gone to bed did stay up, but it came not; whereupon, this morning early, we did attend the General, who did excuse his not sending last night, by some mistake in the transcribing that could not be so soon amended, but that we should have it forthwith. About 11 o'clock this day lieut. gen. Hammond, and four colonels of the Army, came to us from the general, commanders, and soldiers of the Army, and presented to us their Representation; and desired us to send the same, with all speed, to the parliament; which here inclosed we present. We likewise sent to know whether in this Representation, were contained all the particulars that the Army did desire and insist upon. To which, by col. Hammond and other officers, this Answer from the general was returned, That the sum and bottom of the Desires of the Army are delivered in the Representation, only there remain some Heads tending to the clearing of the Representation, which should be within three hours brought to the commissioners. These shall be sent you from Your &c. C. Nottingham. De La War, St. Alban's June 15."

The Representation from the Army mentioned in the above letter, is not entered in the Journals. However, it was published by the special order of the general and his officers*: from which Authority we give it, together with another Paper, printed by the same authority and hinted at above, which contained the Heads of a Charge against several Members of the house of commons.—And first,

A REPRESENTATION from his Excellency Sir THOMAS FAIRFAX and the Army under his Command, humbly tendered to the Parliament, concerning the just and Fundamental Rights and Liberties of themselves and the Kingdom, with some humble Proposals and Desires in order thereunto, and for settling the Peace of the Kingdom.

"That we may no longer be the dissatisfaction of our friends, the subject of our enemies malice, (to work jealousies and misrepresentations upon) and the suspicion, if not astonishment, of many in the kingdom, in our late or present transactions and conduct of business, we shall, in all faithfulness and clearness, profess and declare unto you those things which have of late protracted and hindered our disbanding; the present Grievances which possess our Army, and are yet unremedied; with our Desires as to the complete settlement of the Liberties and Peace of the kingdom, which is that blessing of God than which, of all worldly things, nothing is more dear unto us or more precious in our thoughts; we having hitherto thought all our present enjoyments (whether of life, or livelihood, or nearest relations) a price but sufficient to the purchase of so rich a blesssing; that we, and all the free-born people of this nation may sit down in quiet under our vines, and under the glorious administration of justice and righteousness, and in full possession of those fundamental Rights and Liberties, without which we can have little hopes, as to human considerations, to enjoy either any comfort of life, or so much as life itself, but at the pleasue of some men, ruling merely according to will and power. It cannot be unknown what hath passed betwixt the parliament and the Army as to the service of Ireland; by all which, together with the late proceedings against the Army in relation to their Petitions and Grievances, all men may judge what hath hindered the army from a ready engagement in that service; and without further account or apology as to that particular, than what those passages and proceedings themselves, already made public, do afford, we do appeal to all men, whether those courses to which the parliament hath, by the designs and practice of some, been drawn, have rationally tended to induce a chearful and unanimous undertaking of the army as to that service, or rather to break and pull the army in pieces with discontents and dishonour; and to put such disobligations and provocations upon it as might drive it into distemper, and, indeed, discourage both this army and other soldiers from any further engagement in the parliament's service. And we wish all men would with us, upon the whole carriage, seriously consider whether, in the intentions of those who have, by false informations and misrepresentations, put the parliament upon such ways, the timely and effectual relief of Ireland seems really to have been intended; or rather, with the breaking and disbanding of this army, to draw together or raise such other forces, and of such a temper, as might serve to some desperate and destructive designs in

* Printed at Cambridge, by Roger Daniel, Printer to the University, with the following Fiat. "St. Alban's, June 14, 1647. By the Appointment of his Excellency Sir Tho. Fairfax, with the Officers and Soldiery under his Command. J. Rushworth, Secretary."

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England: for which, besides the probable suspicions from their carriage of the business, we have before-hand, in the transaction thereof, had more than hints of such a design, by clear expressions to that purpose, from many of those officers of the army that have been persuaded, and appeared most forward, to engage for Ireland on the terms proposed. And that such a design hath all along been driven seems now too evident, by the present disposing of those forces that have been engaged as for Ireland, by the endeavours of some to gain a power from the parliament of ordering the same for some service in England, and by the private listings of men for service here, without any public authority of parliament; and all this by the same persons who have all along appeared most active and violent in the late proceedings against the army.—As to the just Discontents and Dissatisfactions of the Army in relation to their Grievances, and their non-compliance to the late Orders for sudden disbanding by piecemeal, before more full and equal satisfaction were given to the whole, we desire you to look back to the Papers already published of the Grievances themselves, the Narrative of the Officers, and to the later Papers from the general Council of War at Bury, and from the late general rendezvous last week near Newmarket: and, we think, the parliament's late resuming the consideration of those things as to a further satisfaction, doth much justify the desires and proceedings of the army in those past particulars hitherto.—And though had we, upon our first addresses for our undoubted rights and dues, found a free and candid reception, with a just consideration and reasonable satisfaction, or at least an ingenuous Answer thereon, we should have been easily persuaded to have abated or forborne much of our dues; and not to have inquired into or considered, so far as we have, either the possibilities there are for more present satisfaction of arrears, or the credit of future securities proposed; yet since, upon those former addresses, we have found such unworthy dealing, as in the said Papers is set forth: and those additional, though hitherto but partial, satisfactions coming so hardly as they have, we find no obliging reasons, in the least, to decline or recede from what is our due; but rather still to adhere unto our desires of full and equal satisfaction in all the things mentioned in the aforesaid Papers, not only in behalf of ourselves and the army, but also of the whole soldiery throughout the kingdom, who have concurred, or shall concur, with us in the same desires.—And to all our former Desires as soldiers we cannot but add this, (wherein we find ourselves so nearly concerned in point of justice and reputation) that more care and a stricter course may be taken for making good all articles granted upon surrenders, according to the true intent and meaning of them; as also for remedy and reparation in case of any breach; and this without those delays which divers have found as prejudicial, or more, than if they had been totally denied the performance of them.—Nor will it now, we hope, seem strange or unseasonable to rational and honest men, who consider the consequence of our present case to their own and the kingdom's, as well as our future concernments in point of right, freedom, peace, and safety, if (from a deep sense of the high consequence of our present case, both to ourselves in future and all other people) we shall, before disbanding, proceed in our own and the kingdom's behalf, to propound and plead for some provision for our and the kingdom's satisfaction and future security in relation to those things; especially considering that we were not a mere mercenary army, hired to serve any arbitrary power of state, but called forth and conjured, by the several Declarations of parliament, to the defence of our own and the people's just rights and liberties: and so we took up arms in judgment and conscience to those ends, and have so continued them; and are resolved, according to your first just desires in your Declarations, and such principles as we have received from your frequent informations and our own common sense, concerning these our fundamental rights and liberties, to assert and vindicate the just power and rights of this kingdom in parliament, for those common ends premised, against all arbitrary power, violence, and oppression, and all particular parties and interests whatsoever; the said Declarations still directing us to the equitable sense of all laws and constitutions, as dispensing with the very letter of the same, and being supreme to it, when the safety and preservation of all is concerned; and assuring us, that all authority is fundamentally seated in the office, and but ministerially in the persons. Neither do or will these our proceedings, as we are fully and in conscience persuaded, amount to any thing unwarrantable before God and men; being thus far much short of the common proceedings, in other nations, to things of an higher nature than we have yet appeared to: and we cannot but be sensible of the great complaints that have been made to us generally in the kingdom, from the people where we march, of arbitrariness and injustice, to their great and insupportable oppression.—And truly such kingdoms as have, according both to the law of nature and nations, appeared to be the vindicators and defenders of their just rights and liberties, have proceeded much higher: as our brethren of Scotland, who, in the first beginning of these late differences, associated in covenant from the very same principles and grounds, having no visible form either of parliament or king to countenance them: and as they were therein justified and protected by their own and this kingdom also, so we justly shall expect to be.—We need not mention the States of the Netherlands, the Portugals and others, all proceeding upon the same principles of right and freedom: and accordingly the parliament hath declared it no resistance of magistracy to side with the just principles of law, nature, and nations, being that law

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upon which we have assisted you. And that the soldiery may lawfully hold the hands of that general who will turn his cannon against his army, on purpose to destroy them; the seamen the hands of that pilot who wilfully runs the ship upon the rock, as our brethren of Scotland argued: and such were the proceedings of our ancestors of famous memory, to the purchasing of such rights and liberties as they have enjoyed through the price of their blood; and we, both by that and the later blood of our dear friends and fellow soldiers, with the hazard of our own, do now lay claim unto.—Nor is that supreme end, the Glory of God, wanting in these cases to set a price upon all such proceedings of righteousness and justice; it being one witness of God in the world, to carry on a testimony against the injustice and unrighteousness of men, and against the miscarriages of government, when corrupted or declining from their primitive and original glory.—These things we mention but to compare proceedings, and to shew that we are so much the more justifiable and warranted in what we do, by how much we come short of that height and measure of proceedings which the people in free kingdoms and nations have formerly practised.—Now, having thus far cleared our way in this business, we shall proceed to propound such things as we do humbly desire for the settling and securing of our own and the kingdom's Rights, Freedom, Peace, and Safety, as followeth:—I. That the Houses may be speedily purged of such Members as, for their delinquency, or for corruption, or abuse to the state, or undue election, ought not to sit there; whereof the late elections in Cornwall, Wales, and other parts of the kingdom, afford too many examples to the great prejudice of the people's freedom in the said elections. II. That those Persons who have, in the late unjust and high proceedings against the army, appeared to have the will, the confidence, credit and power to abuse the parliament and the army, and endanger the kingdom in carrying on such things against us while an Army, may be some way speedily disabled from doing the like or worse to us, (when disbanded and dispersed, and in the condition of private men) or to other the free-born people of England in the same condition with us; and that, for that purpose, the same persons may not continue in the same power, especially as ours and the kingdom's judges in the highest trust, but may be made incapable thereof for the future.—And if it be questioned who those are, we thought not fit particularly to name them in this our representation to you; but shall very speedily give in their names, and, before long, shall offer what we have to say against them to your commisssioners; wherein we hope so to carry ourselves, as that the world shall see we aim at nothing of private revenge or animosity, but that justice may have a free course; and the kingdom be eased, at least, by disabling such men from places of judicature, who, desiring to advantage and set up themselves and their party, in a general confusion, have endeavoured to put the kingdom into a new flame of war, than which nothing is more abhorrent unto us.—But because neither the granting of this alone would be sufficient to secure our own and the kingdom's Rights, Liberties, and Safety, either for the present age, or posterity; nor would the proposal of this, singly, be free from the scandal and appearance of faction, or design only to suppress one party, under the notion of unjust or oppressive, that we may advance another which may be imagined more our own: We therefore declare; That indeed we cannot but wish that such men, and such only, might be preferred to the great power and trust of the common-wealth, as are approved at least for moral righteousness; and of such we cannot but, in our wishes, prefer those that appear acted thereunto by a principle of conscience and religion in them; and accordingly we do and ever shall bless God for those many worthies, who, through his providence, have been chosen into this parliament; and to such men's endeavours, under God, we cannot but attribute that vindication in part of the people's rights and liberties, and those beginnings of a just reformation, which the proceedings at the beginning of this parliament appeared to have driven at, and tended to, though of late obstructed or rather diverted to other ends and interests by the prevailing of other persons, of other principles and conditions.—But we are so far from designing or complying to have any absolute arbitrary power fixed or settled, for continuance, in any persons whatsoever, as that, if we might be sure to obtain it, we cannot wish to have it so in the persons of any who we might best confide in, or who should appear most of our own opinions or principles, or whom we might have most personal assurance of, or interest in; but we do and shall much rather wish that the authority of this kingdom in a parliament rightly constituted, free, equally, and successively chosen, according to its original intention, may ever stand and have its course; and therefore we shall apply our desires chiefly to such things, as (by having parliaments settled in such a right constitution) may give more hopes of justice and righteousness to flow down equally to all in that its antient channel, without any overtures tending either to overthrow that foundation either of order or government in this kingdom, or to ingross that power, for perpetuity, into the hands of any particular person or party whatsoever.—And for that purpose, though, as we have found it doubted by many men, minding sincerely the public good, but not weighing so fully all consequences of things, it may and is not unlike to prove, that, upon the end of this parliament and election of a new, the constitution of succeeding parliaments, as to the persons elected, may prove for the worse many ways; yet since neither in the purging of this present parliament, nor in the election of a new, we can promise to ourselves

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or the kingdom an assurance of justice, or other positive good from the hands of men; but those that appear at present most righteous, and most for common good, (having an unlimited power fixed in them during life or pleasure) in time may become corrupt, or settle into parties or factions; or on the other side, in case of new elections, those that should so succeed may prove as bad or worse than the former:—We therefore humbly conceive that (of two inconveniences the less being to be chosen) the main thing to be intended in the case (and beyond which human providence cannot reach, as to any assurance of positive good) seems to be this, viz. To provide that however unjust or corrupt the persons of parliament-men, in present or future, may prove; or whatever ill they may do to particular parties, or to the whole in particular things, during their respective terms or periods; yet they shall not have the temptation or advantage of an unlimited power fixed in them during their own pleasure, whereby to perpetuate injustice and oppression upon any, without end or remedy; or to advance and uphold any one particular party, faction, or interest whatsoever, to the oppression or prejudice of the community and the enslaving of the kingdom unto all posterity; but that the people may have an equal hope or possibility, if they have made an ill choice at one time, to mend it in another; and the members themselves may be in a capacity to taste of subjection as well as rule, and may be so inclined to consider of other men's cases, as what may come to be their own. This we speak in relation to the house of commons, as being intrusted on the people's behalf, for their interest in that great and supreme power of the commonwealth, (viz. the legislative power, with the power of final judgments) which being in its own nature so arbitrary, and in a manner so unlimited, unless in point of time, is most unfit and dangerous, as to the people's interest, to be fixed in the persons of the same men during life or their own pleasure; neither, by the original constitution of this state, was it, or ought it, to continue so; nor doth it, where ever it is, and continues so, render that state any better than a mere tyranny, or the people subjected to it any better than vassals: but in all states where there is any face of common freedom, and particularly in this state of England (as is most evident both by many positive laws and antient constant custom) the people have a right to new and successive elections unto that great and supreme trust, at certain periods of time; which is so essential and fundamental to their freedom, as it cannot or ought not to be denied them; and without which the house of commons is of very little concernment to the interest of the commons of England: yet in this we would not be misunderstood to blame those worthies of both houses, whose zeal to vindicate the liberties of this nation did procure that act for the continuance of this parliament, whereby it was secured from being dissolved at the king's pleasure, as former parliaments have been, and reduced to such a certainty as might enable them the better to assist and vindicate the liberties of this nation (immediately before so highly invaded, and then also so much endangered); and this we take to be the principal ends and grounds for which, in that exigency of time and affairs, it was procured, and to which we acknowledge it hath happily been made use of; but we cannot think it was by those worthies intended, or ought to be made use of, to the perpetuating of that supreme trust and power in the persons of any, during their own pleasures, or to the debarring of the people from their right of elections totally, now when those dangers or exigencies were past, and the affairs and safety of the commonwealth would admit of such a change. Having thus cleared our Grounds and intentions, as we hope, from all scruples and misunderstandings in what follows, we shall proceed further to propose what we humbly desire for the settling and securing of our own and the kingdom's Rights and Liberties, through the blessing of God, to posterity? and therefore, upon the Grounds premised, we further humbly desire as followeth: III. That some determinate period of time may be set for the continuance of this and future parliaments, beyond which none shall continue, and upon which new writs may of course issue out, and new elections successively take place, according to the intent of the bill for Triennial parliaments. And herein we would not be misunderstood, to desire a present or sudden dissolution of this parliament; but only, as is expressed before, that some certain period may be set for the determining of it, so that it may not remain, as now, continuable for ever, or during the pleasure of the present members. And we should desire that the period to be now set for ending this parliament may be such as may give sufficient time for provision of what is wanting, and necessary to be passed, in point of just reformation and for further securing the Rights and Liberties, and settling the Peace of the kingdom; in order to which we further humbly offer:—IV. That secure provision may be made for the continuance of future parliaments, so as they may not be adjournable or dissolvable at the king's pleasure, or any otherwise than by their own consent during their respective periods; but at those periods each parliament to determine of course as before. This we desire may be now provided for, if it may be, so as to put it out of all dispute for the future, though we think of right it ought not to have been otherwise before. And because the present distribution of Elections for parliament members is so very unequal, and the multitude of burgesses for decayed or inconsiderable towns (whose interest in the kingdom would in many not exceed, or in others not equal, ordinary villages) doth give too much and too evident opportunity for men of power to frame parties in parliament to serve particular interests, and thereby the com-

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mon interest of the whole is not so minded, or not so equally provided for: We therefore further desire, V. That some provision may be now made for such distribution of Elections for future parliaments, as may stand with some rule of equality or proportion, as near as may be, to render the parliament a more equal representative of the whole; as for instance, That all counties or divisions and parts of the kingdom (involving inconsiderable towns) may have a number of parliament-men allowed to their choice, proportionably to the respective rates they bear in the common charges and burdens of the kingdom, and not to have more; or some other such like rule.—And thus a firm foundation being laid in the authority and constitution of parliaments for the hopes, at least, of common and equal right and freedom to ourselves and all the free-born people of this land; we shall for our parts, freely and chearfully commit our stock or share of interest in this kingdom, into this common bottom of parliaments; and though it may for our particulars, go ill with us in one voyage, yet we shall thus hope if right be with us, to fare better in another. These things we desire may be provided for by bill or Ordinance of parliament, to which the royal assent may be desired. And when his majesty (in these things, and what else shall be proposed by the parliament necessary for securing the Rights and Liberties of the people, and for settling the Militia and Peace of the Kingdom) shall have given his concurrence, to put them past dispute, we shall then desire that the rights of his majesty and his posterity may be considered of and settled in all things, so far as may consist with the right and freedom of the subject, and with the security of the same for the future.—VI. We desire the Right and Freedom of the People to represent to the parliament, by way of humble Petition, their Grievances, in such things as cannot be otherwise remedied than by parliament, may be cleared and vindicated; that all such Grievances of the people may be freely received, and admitted into consideration, and put into an equitable and speedy way to be heard, examined, and redressed, if they appear real; and that in such things, for which men have remedy by law, they may be freely left to the benefit of the law and the regular course of justice, without interruption or check from the parliament, except in case of things done upon the exigency of war, or for the service and benefit of the parliament and kingdom in relation to the war, or otherwise in due pursuance and execution of ordinances or orders of parliament. More particularly, under this head, we cannot but desire that all such as are imprisoned for any pretended misdemeanor, may be put into a speedy way for a just hearing and trial; and such as shall appear to have been unjustly and unduly imprisoned, may, with their liberty, have some reasonable reparation according to their sufferings and the demerit of their oppressors.—VII. That the large power given to committees, or deputy-lieutenants, during the late times of war and distraction, may be speedily taken into consideration; that such of those powers as appear not necessary to be continued may be taken away, and such of them as are necessary, may be put into a regulated way, and left to as little arbitrariness as the nature and necessity of the things wherein they are conversant will bear. VIII. We could wish that the kingdom might both be righted, and publickly satisfied, in point of Accounts, for the vast sums that have been levied and paid; as also in divers other things wherein the common-wealth may be conceived to have been wronged or abused: but we are loth to press any thing that may tend to lengthen out further disputes or contestations, but rather such as may tend to a speedy and general composure and quieting of men's minds, in order to peace; for which purpose we further propose,—IX. That public Justice being first satisfied, by some few examples to posterity out of the worst of excepted persons and other delinquents having past their compositions, some course may be taken, by a general Act of Oblivion, or otherwise, whereby the seeds of future war or feuds, either to the present age or posterity, may the better be taken away; by easing that sense of present, and satisfying those fears of future, ruin or undoing to persons or families, which may drive men into any desperate ways for self-preservation and remedy; and by taking away the private remembrances and distinctions of parties, as far as may stand with safety to the rights and liberties we have hitherto fought for.—There are besides these, many particular things which we could wish to be done, and some to be undone, all in order still to the same end of common Right, Freedom, Peace, and Safety; but these Proposals aforegoing being the principal things we bottom and insist upon, we shall, as we have said before, for our parts, acquiesce for other particulars in the wisdom and justice of parliament. And whereas it hath been suggested or suspected that, in our late or present proceedings, our design is to overthrow Presbytery, or hinder the Settlement thereof, and to have the Independent Government set up, we do clearly disclaim and disavow any such design: We only desire that, according to the Declarations promising a provision for tender consciences, there may be some effectual course taken, according to the intent thereof, that such who, upon conscientious grounds, may differ from the established forms, may not for that be debarred from the common Rights, Liberties, or Benefits belonging equally to all, as men and members of the commonwealth, while they live soberly, honestly, inoffensively towards others, and peacefully and faithfully towards the State.—We have thus freely and clearly declared the depth and bottoms of our hearts and desires, in order to the Rights, Liberties, and Peace of the Kingdoms; wherein we appeal to all men, whether we seek any thing of advantage to ourselves,

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or any particular party whatever, to the prejudice of the whole; and the things we wish and seek do not equally concern and conduce to the good of others, in common with ourselves, according to the sincerity of our desires and intentions; wherein, as we have already found the concurrent sense of the people in divers counties, by their Petitions to the General, expressing their deep resentment of these things, and pressing us to stand for the interest of the kingdom therein; so we shall wish and expect to find the unanimous concurrence of all others that are equally concerned with us in these things, and wish well to the Public.—And so (trusting in the mercy and goodness of God to pass by and help any failings or infirmities of ours in the carriage or proceedings hereupon) we shall humbly cast ourselves and the business upon his good pleasure, depending only on his presence and blessing for an happy issue to the peace and good of this poor kingdom, in the accomplishment whereof we desire and hope that God will make you blessed instruments."

Heads of a Charge, presented by the Army, against eleven Members of the House of Commons.] Next follow

The HEADS of a CHARGE, delivered in the Name of the Army, under the Command of sir Thomas Fairfax, unto the Commissioners of Parliament, now with the Army at St. Albans, June 14, 1647, to be by them sent up against Denzil Hollis, esq. sir Philip Stapylton, sir Wm. Lewis, sir John Clotworthy, sir Wm. Waller, sir John Maynard, knts. major-general Massie, John Glynn, esq. Recorder of London, colonel Walter Long, colonel Edward Harley, and Anthony Nichols, esq. Members of the House of Commons, jointly or severally:

1. "That, contrary to the trust reposed in them, the persons above-named, members of the house of commons, have jointly or severally invaded, infringed, or endeavoured to overthrow, the Rights and Liberties of the Subjects of this nation, in arbitrary, violent, or oppressive ways; and in this case, where no pretence was, or could be, of the exigence of war, or other necessity, which might justify or excuse the same. And they have likewise endeavoured, by indirect and corrupt practices, to delay and obstruct justice, to the great damage and prejudice of divers of the poor Commoners of England petitioning for the same. 2. That this Army being, until the middle of March last, in a quiet and orderly condition and posture, free from any colour or appearance of distemper or disorder, or from offence to any, and ready, upon reasonable satisfaction in their necessary dues for service past, either quietly to have disbanded, or else to have engaged in the service of Ireland; the persons above-named have jointly or severally endeavoured by false informations, misrepresentations, or scandalous suggestions against the army, to beget misunderstandings, prejudices or jealousies in the parliament against the army; and by deluding, surprizing, or otherways abusing the parliament, to engage the authority of parliament to such proceedings, as to put insufferable injuries, abuses, and provocations upon the Army; thereby to provoke and put the army into a distemper, and to disoblige and discourage the same from any further engagement in the parliament's service; by all which, and other the like particulars and proceedings of theirs, the peace of the kingdom hath been imminently endangered, and the relief of Ireland retarded. 3. That whereas the parliament might otherwise have had out of this Army an entire force, and answerable to their proportion, designed to have engaged for Ireland as aforesaid, under their old officers and conduct, the persons above-named, for advancement of their own ends, faction and design, to the prejudice of the public, have, jointly or severally, under pretence of the service of Ireland, endeavoured by such evil practices as before, to break and pull this army in pieces, to the weakening of the power, and endangering the safety, of the parliament and kingdom; and have likewise endeavoured to put the parliament and kingdom to the trouble hazard, delay, and vast expence of raising a new force as for that service. 4. That with the breaking of this Army as aforesaid, they have in the like manner endeavoured, under the pretence of the service of Ireland, to raise a new force as before, to advance and carry on desperate designs of their own in England, to the prejudice of the parliament and public; and, in pursuance of the same, have endeavoured to divert the forces, engaged as for Ireland unto such their purpose as aforesaid here in England; and have in like manner endeavoured to have gained a power from the parliament for themselves, or some of them, of diverting or misemploying those forces aforesaid, and to raise new forces, under pretence to guard the parliament; and, not having obtained that, have, in like manner, endeavoured privately to list and engage officers and soldiers, or procure them to be listed and engaged, without authority of parliament, for the raising of and embroiling this kingdom in a new and bloody war, and to interrupt and hinder the settling and securing the Rights, Liberties, and Peace of the Kingdom; and for the settling, upholding, and protecting of themselves and their accomplices in their unjust, oppressive, and factious designs and proceedings. 5. That they have jointly or severally invited, encouraged, abetted, or countenanced divers reformadoes, and other officers and soldiers, tumultuously and violently to gather together at Westminster, to affright and assault the members of parliament in passage to and from the house; to offer violence to the house itself; and, by such violence, outrages, and threats, to awe and inforce the parliament.—The several Heads of Charge the Army will, (by such solicitors as they shall appoint, when the house of commons shall admit thereof) make good, in particulars, each head against

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some of the persons, and some one head or more against each of the persons; and shall shortly give in the several particulars against each person respectively, which shall be made good by proofs; the Army desiring to save and reserve to themselves the liberty of exhibiting any further Charge against all or any of the said persons."

A Paper delivered thereupon to the Parliament's Commissioners at St. Albans.] Next follows,

A PAPER delivered to the Right Hon. the COMMISSIONERS of Parliament now with the Army, June 15, 1647, from his Excellency Sir Thomas Fairfax, and the Army under his command,

"Shewing, I. That in pursuance of the Representations delivered in, we have prepared a Charge against divers persons, members of the house of commons, (to whom many passages in the said Representation do relate) which we have delivered in to be speeded to the parliament; and shall, when the parliament have admitted thereof, appoint fit persons on our and the kingdom's behalf to prosecute and make good the same. II. That if the parliament shall please to admit these things into debate and consideration, at the desire of the army in behalf of themselves and the kingdom, and to proceed thereupon for a general satisfaction therein, we shall then desire, 1. That the persons impeached in the said Charge may be forthwith suspended from sitting in the house, without which we cannot reasonably expect such proceedings upon any the things we have proposed, as may probably bring the same to an happy or timely issue to the kingdom or ourselves; or as may prevent the present designs and practices so imminently endangering the peace of this kingdom, if the same persons (who have notoriously appeared most active in all the late proceedings, to the prejudice and provocation of the Army, and hazarding thus far the Peace of the Kingdom) shall continue in the same power, and judges of those things relating to the army's satisfaction and peace of the kingdom. 2. That there may be a month's pay at least immediately sent down to the Army for a present supply, out of which the army shall pay 14 days quarter for time to come, and the other 14 days pay shall be accounted as part of arrears: and to this we must desire a present resolution to be with us on Thursday next, by noon at farthest. 3. That if the officers and soldiers of the army who have engaged for Ireland, or those who have deserted the army to come to London, have since then received more than a month's pay, there may be so much more money sent down to the army, above the month's pay before mentioned, as may make up that month's pay to the army equal to what such officers and soldiers have so received at London or elsewhere. 4. That no officers or soldiers who have so deserted the army shall have any more paid them as for arrears, until the rest of the army shall first be satisfied in point of their arrears. 5. Whereas there have been several designs and endeavours, without authority from the parliament, to raise and list new forces in this kingdom, to draw together the forces engaged for Ireland, and march them towards London, and other secret practices to engage the kingdom in a second war; we further desire that, during the debate and transaction of this business betwixt the parliament and the army, the parliament would not suffer any new forces to be raised within this kingdom, or any forces to be invited or admitted out of any other kingdom into this; or any thing else to be done that may carry the face of a new war, or of preparations thereunto, which may endanger or interrupt the present proceedings to the settlement of the liberties and peace of this kingdom. 6. That the parliament would be pleased, without delay, to put the things contained in our several Representations and Papers already given in, into a speedy way of resolution and dispatch, the present posture and condition of the kingdom and army, as also of his majesty himself, not admitting delays."

Both Houses reverse most of the Orders made against the Army.] This bold step of the Army must have made both houses tremble; but, in order to stop the torrent, they went eagerly on in passing Ordinances, and giving Orders for paying of large sums of Money to the Officers and Soldiers; which, as the sequel will shew, did but serve to make them more insolent. As a proof of the passive disposition the Parliament was reduced to, they this day joined in revoking the Orders made for drawing together any of the Forces out of the several adjacent counties for their own defence; and likewise an Order for desiring colonel Dalbier, and other colonels, to bring in Lists of the names and qualities of such gentlemen and Reformado officers, as they should find willing to engage in their service. All which shews plainly, that the parliament then thought themselves at the mercy of the Army.

Sir T. Fairfax's Answer to the Letter from the City of London.] June 17. The lords being informed that some aldermen and others were at the door to deliver a Message from the city of London, they were called in; and alderman Fowke gave an account of their going to sir Thomas Fairfax with the Letter from the City of London, and of the Answer of the General to it, and of the Votes of the lord mayor and common council of London thereupon; all which were read as follows: and, first, the General's Answer to the Letter from the City, addressed to their Commissioners that carried it:

For our honoured Friends Alderman Warner, Alderman Fowke, Alderman Gibbs, Alderman Vyner, and the rest of the Commissioners of the City of London.

"Being informed that divers Soldiers are daily listed under officers in and about the cities of London and Westminster, and parts thereto adjacent, besides the Trained Bands

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and usual auxiliaries, we strongly apprehend that, notwithstanding all our desires and labours of Peace, the kingdom is like to be precipitated, by some persons, into a new war; therefore, before we can answer that part of your City's Letter, to remove 80 miles distant from London, we desire the city would use their endeavours to prevent all such listings, and therein deal so effectually, as that nothing be for the future done towards such listing or raising any forces; and those already raised may be forthwith discharged: but if this cannot be done, we shall be forced, by an unwilling necessity, to apply our endeavours to break all designs of that kind, and therein we hope to receive the concurrence of your city; professing we have nothing else in our eye but yours, our own, and this poor kingdom's good and quiet. Hereof we desire to hear speedily from you, and so, from time to time, as oft as may be; which we shall own as a seal of that reciprocal love which the City's Letter purports to this army, and shall be, on our parts, most earnestly endeavoured to be maintained. Signed in the Name, and by the Appointment, of his Excellency Sir Thomas Fairfax and his Council of War. Jo. RUSHWORTH. St. Alban's, June 14, 1647."

Inclosed in the above was another Letter directed

For the Right Hon. the Lord Mayor, Aldermen, and Common Council of the City of London.

"Honourable and Worthy Friends; We are very glad our Letter from Royston, of the 10th of this instant June, had so good a reception with you, whereof you have given us assurance by your letter of the 12th of this instant, and by those worthy aldermen and others the members of your city, whom you sent unto us; by whose hands we yesterday returned such Answer to that part of your Letter, for our removal 80 miles distant from London, as the present exigency of affairs could possibly admit; to which we add this sincere assurance, that so soon as we shall receive the next Resolution from the parliament, in relation to the proceedings upon the Papers now given in unto them (whereof likewise your commissioners have received a copy from us) we shall then immediately give you such further Answer and satisfaction to that particular, as the nature of these results will permit, with respect only had to the necessary prosecution of those pressing concernments of the kingdom, comprised in those Papers; whereunto, for the justness and reasonableness of our Desires, and their consistence with the true honour, just power, and privileges of parliament, the liberty of the subject, and the safety of your city and kingdom, we do refer you.—As to your Desire expressed in your Instructions to your Commissioners, of our care for the safety of his majesty's person while amongst us, we had, upon his first coming into our quarters, assigned (and have since continued in attendance about his majesty) a guard of two regiments of horse, of as faithful men, and under as trusty a commander as this army doth afford; neither shall our future care be wanting in any further provision necessary for the safety of his royal person.—And we now cannot but take notice, as of the past most free and forward engagements of your famous city in the same cause, which we are now desiring to see a period to and accomplishment of, so of your continual readiness to close with us in our just and necessary desires to the same ends; as also of your present professed averseness to engage in any thing that may tend to a further war or distraction in this kingdom; for all which we cannot but return (after our praises to God) thanks to you and your city; and we assure you that the sense thereof hath a deep impression on our spirits, to find (as we do hitherto) the hand of God working all men's hearts to so clear and unanimous concurrence with our own, in our Desires for the present settling and securing the Rights, Liberties, and Peace of this kingdom, beyond which we have no aims nor ends of our own." (Signed as the last.)

Proceedings of the Common Council thereupon.] The following is a Copy of the Act of Common Council, in consequence of the foregoing Letters:

Commune Concil. tent. in Camera Guildh. Civit. London. 15to Die Junii, 1647.

"Upon relation now made, by the committee of this court, of the noble reception and entertainment of them by sir Tho. Fairfax, and the rest of the commanders at St. Albans; and of the Passages and Answers between them concerning the contents of the Letter sent from this court; and, after reading of the Letter and Papers presented unto this court from his excellency and Council of War; and, after long debate thereupon had, it was thought fit, and so ordered by this court, That the said committee shall, to-morrow morning, acquaint both houses of parliament with these Letters, and signify the desire of his excellency and his council of war, that the city of London would use their endeavours to prevent the listing of soldiers, under officers, in and about the cities of London and Westminster, and parts thereto adjacent, (except the Trained Bands and usual Auxiliaries) for raising a new war; and that those already raised may be forthwith discharged: and the said committee are hereby ordered to take the contents of the said Letter into serious consideration, and to prepare a letter to be sent from this court in answer to the same, to give satisfaction to his excellency and his Council of War that no forces are, or shall be, listed within the city but their Trained Bands, and Auxiliaries; and to signify the proceedings of the said court herein; and the said committee are to present unto this court a draught of the said Letter to be sent as aforesaid."

The Answer returned to all this was, That the lords gave the citizens thanks for communicating those Papers unto them, and let them

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know that the Orders they mentioned were already annulled and made void by both houses of parliament.

The Parliament's Letter to Sir T. Fairfax to remove his Army 40 Miles from London.] Another Order agreed to by both houses this day, was, that the Army under sir Tho. Fairfax should be required to remove 40 miles from London, and the following Letter to the general, to put in execution the aforesaid Vote, was also agreed to.

"Sir; The lords and commons being desirous to prevent jealousies and misunderstandings between them and the Army, and, as much as in them is, to preserve the kingdom in peace, and prevent a new war, have passed several Votes, which they have commanded their commissioners to communicate unto you, in order to prevent the great mischief that may arise through popular discontents, by scarcity of provisions; and to the end that the parliament may have more free debate upon the matters presented to them from the Army, the houses do require you that, according to their former Order, you would speedily remove the Army 40 miles distance from London: and they require you likewise to take order, that no forces be raised or admitted into the army, nor any forces placed in any forts, or displaced from any garrisons which they have made, without their approbation. The houses do likewise expect from you a speedy and positive account of what you have done upon the Letter and Votes you have received for the Removal of the King's Person to Richmond. So we rest, Your, &c."

Narrative of some Conversation that passed between the King and Mr. Reymes,] The last thing done this day was reading a Paper, drawn up by one Mr. Reymes, of what had passed between the King and him, which he had before delivered by word of mouth at the bar of the house of lords. It is entered in their Journals, and was ordered by them to be printed and published:

"In obedience to the command of this right honourable house, I shall here give an Account of my Admission to his majesty's presence, and commission of declaring his Message to the Militia of London, who have thought fit it should be communicated to both houses of parliament. For the first; partly my occasions, partly my desire of seeing his majesty, drew me to Sir William Russel's, where he was then playing at bowls with some of the commissioners; amongst the rest major-general Browne, espying me, proffered me the honour of his majesty's hand, which I readily accepted of, so it might be without inconvenience; and, coming near his royal majesty, he was graciously pleased to grant me that favour; withal asking my name, and something else of major-general Brown, which I did not hear; but he soon after came to me, and desired my attendance at court; where, at my entrance, I was received by him according to his promise, and carried into the presence-room, where he acquainted me with several passages betwixt his majesty, the general, lieut. general, and col. Whaley, whom the king had that day struck for being so presumptuous as to listen while his majesty was in conference with one whom they suspected to be come from London.—From this he fell to a Relation of his majesty's averseness and unwillingness to comply at all with the Army's proceedings; saying, That all their actions, for aught he saw, were both inequitable in themselves, and disproportionable to their pretences. To this the major-general added, That it did highly concern both the parliament and the city to be careful of their safeties, he being an ear-witness daily of their threats, and how much they were animated with the hopes of spoil, and inraged with hatred to the parliament.—This he desired me to deliver, and so led me into the privy-chamber, and his majesty presently came out of his bed-chamber. He came towards me, who was standing with the commissioners: Then major-general Brown anticipated his majesty's discourse by an humble intreaty, that he would be pleased to confirm the Relation he had given me of his majesty's unwillingness to come from Holdenby, and how much against his will he staid here. In answer to which his majesty, clapping his hand upon his breast, said, 'Upon my life I came against my will,' which he told me I might well conjecture myself by the Relation he was pleased to afford me of his being taken from Holdenby: 'But,' said he, 'rather than to be carried by neck and heels,' that I may use his own expression, 'I went along. Nor am I so in love with their proceedings that I should be willing to continue here, for I find myself an absolute prisoner. As concerning my refusal of returning to Holdenby, which by some of my subjects may be misunderstood, for all the reason I had was, that I chose golden fetters, and a lightsome room before a dark dungeon; for I conceive this to be the better air, knowing that my restraint there should not be less than here.' Then, appealing to the commissioners, he said, 'Have I not told the general himself, and others, that I admired by what authority he durst thus resist me and my parliament?' To which he answered, There was necessity. He told them, 'They did more than ever the king, though in the height of his power, durst, to inforce justice, either in criminal or civil affairs: indeed I have many times hastened it, but never enforced it, as they have done, in saying, Give us Justice, or——.' Yet, for my part,' proceeded his majesty, 'I know not what they do or intend, but what I hear from those gentlemen,' pointing to the commissioners, 'for they have not sent legally to me since my coming; therefore let all those know whom you think fit communicants of this business, that I desire nothing more passionately than to be with my parliament.'—After this I assumed the boldness to tell his majesty, That I thought him then politically absent, when his affection, though not his person, was alienated from

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them. To which he answered, 'It is very right.' Next I told him, I thought it would be no small comfort to those whom he was pleased to make partakers of this his intention, that his majesty's propension and inclination towards them was so great; which he required me to assure them, whatsoever illusive persuasion would possess them to the contrary: and, moreover, That if he were at the head of their army, he would declare and protest against all their proceedings; and whatsoever they heard to the contrary, he desired them not to believe, no, though under his hand, unless they spake with one who had it from his own mouth. Last of all, at my demand of some Letter, major-general Brown answered, That that was not so safe, and this would be as effectual. This is all my memory supplies me withal. The incompactness of this Narration shall, I hope, obtain your honours pardon, being penned without the least premeditation, and without affecting the least methodical style; only in obedience to your honours command, that I might testify myself to be Your &c. B. Reymes."

Petitions from Hertfordshire, and Buckinghamshire to Sir T. Fairfax.] June 18. A Letter from the earl of Nottingham, addressed to the Speaker of the house of peers, was read, dated at St. Alban's, June 17, 1647, with copies of two Petitions inclosed:

"May it please your lordship; The General last night sent us copies of two Petitions, that day presented to him; the one from divers knights, commoners, gentlemen, freeholders, and others in the county of Hertford; the other from the county of Buckingham, which here inclosed I send you. We shall endeavour, according to the commands of parliament, that the Army may remove their quarters farther from the city; which, as soon as we can bring to any certainty or resolution, shall be made know to you by Your &c. C. Nottingham."

To the Right Noble his Excellency Sir THO. FAIRFAX, Captain-General of the Forces raised for the preservation of the Kingdom: The Humble PETITION of divers Knights, Gentlemen, Freeholders, and other Inhabitants of the County of HERTFORD.

"May it please your Excellency; We do, with much thankfulness, acknowledge the great care and pains which have been undergone by those our faithful and well-to-be-trusted worthies of parliament; who, even in the saddest of times, when deserted by many of their own members, have not spared the hazard of their lives, estates, and fortunes, for the preservation of the just liberties, immunities, and franchises of the free-born subjects of this kingdom, being desperately and strongly invaded by a powerful and malignant party; and also have made many solemn protestations and declarations of their aims, intentions, and purposes, whereby we have been greatly encouraged to yield all chearful and due assistance in so necessary a work; yet now, to our great grief, observing, by reason, as we conceive, of the machinations and contrivances of some desperately ill-affected to the weal and quiet of the public in general, and to the honour of your ever-honoured army in particular, many obstructions daily to intervene and fall in; whereby both they and we, notwithstanding the still real intentions of the aforenamed worthies, are as yet clearly debarred of the fruition of these our often promised, much wished for, prayed for, fought for, Rights and Privileges, whereof we had well hoped long since to have been partakers. —Wherefore we your said petitioners do most humbly intreat and beseech your excellency, whom God hath eminently and highly honoured, and we well know, to have a tender and compassionate care over the distress of this miserably afflicted kingdom, to use your utmost endeavours, and with all expedition before the disbanding of the Army now under your excellency's command, that those firebrands and incendiaries, who have endeavoured to raise new divisions in the kingdom, or, by their slanderous tongues, to fix undeserved reproaches on the army, may be brought to condign punishment; and that we your petitioners, with the rest of our faithful brethren in the kingdom, may have a certain relief in our Grievances hereto annexed; and, as in duty bound, we shall not fail to yield our best assistance with our persons, purses, and prayers. 1. That divers counties and corporations in this kingdom, viz. Devon, Cornwall, Wales, &c. formerly in open hostility, and for the present wholly disaffected to the proceedings of this Parliament, have notwithstanding retained, equally with the most cordial to the state, their privileges of electing members; a thing very destructive to the safety of the common-wealth, which is the chief end of parliaments, and one main cause of many present grievances: Wherefore we desire that such elections may be revoked, and the places declared uncapable of any such privileges during the sessions of this parliament, or until such time as it shall appear that their former enmity and rancour be laid aside. 2. That whereas the honourable houses have raised up the expectations of the well-affected, by promising to apply their time and care in procuring Remedies against their pressing evils, as appears most fully in their Declarations of the 17th of April, 1646; yet the said commons have, to their great grief, been frustrated of their hopes; and, instead of being relieved, have, to their great grief, been vexed, imprisoned, and otherwise molested. 3. Our Petitions to the parliament are not, as in former times, either received or answered, whereby no redress can be had to our pressing Grievances; as, in particular, petitions against tythes, and that for the enlargement of our fellow-commoners long, and, as we humbly conceive, unduly detained in prison. 4. The putting in malignant neuters, and persons who have not

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shewn any affection, or done any service, for the parliament during these troubles that have lain upon kingdom, into places of honour, trust, and profit; as governors of towns, castles, forts; Justices of the peace, commissioners of the excise, committees of accounts, &c. whereby the most cordial friends to the parliament are slighted and disregarded, and upon very slender causes, indicted, committed, and imprisoned. 5. That the body of the kingdom, consisting much of copyholders, who for the most have been very cordial and faithful to the parliament, may not be left fineable at the will of the lord; in regard the generality of these have been very malignant and much disaffected to a parliamentary or thorough reformation, and from whom they cannot but expect very severe dealings. 6. That all men that have received any State Money, as well parliament-men as others, may be called to an account for such money; and that committees (not as now, for the most part neuters and malignants, but of approved fidelity) may be elected for that purpose. 7. That one Cordwell, a man of a most notorious lewd life and conversation, and withal a most desperate malignant, did procure a warrant for the apprehending three soldiers under the command of col. Alban Cox; and brought them before one King, a justice of peace, at St. Alban's, where their said colonel did appear with them; and made it very clear and apparent to the said justice, that what they did was by command from their captain, and no more than what was expressly contained within their Ordinance; which the said justice did acknowledge, and was fully satisfied that their ordinance authorized them thereunto; yet, notwithstanding, the said King would have committed them to Hertford goal, had not their colonel and captain become bound for their appearing at the next session; and the said Cordwell did prefer a bill of indictment against them, and, had it not been for two or three honest men that served on the grand jury, the said bill had been found; to the great peril of the lives of the said soldiers, there being but little favour or mercy to be had for parliament soldiers by the justices of our county."

The Humble PETITION of the Inhabitants of the county of BUCKINGHAM.

"May it please your excellency: We bless God for you, as the instrument whom he raised up and made eminent in putting an end to the sad and dreadful war wherein this kingdom was involved not many months since: our eyes are still upon you, and our prayers for you, that God would crown your labours with an happy period of our miseries, ending in the enjoyment of our due and native liberties, which are the things we have chosen our fellow subjects serving in parliament to obtain for us: They are the things for which we have adventured our lives and estates freely, being the first county that appeared for them: They are the things we have so often petitioned for, and could not so much as have expected a delay of Answer to these our just desires: But, to our great grief we speak it, we have been rejected, and are become hopeless of satisfaction, by some men who have not only prevailed in discountenancing our just Petitions, the proper way of subjects address, but almost have made it a fault for subjects to petition; even for things that are due unto them both by common birth-right and the laws of the kingdom, and which frequently have been confirmed to us by several Ordinances and Declarations of parliament. We are not ignorant that even some men amongst them, whom in due time we shall not stick to name, are such as, by their subtle slights, have endeavoured to render your army odious to the parliament and kingdom; which rather than they shall not obtain, they will not stick to inflame the kingdom in a second unnecessary and unjust war, that being the only obstacle to their wicked designs, and the only help, under God, left us of having a firm peace settled in this kingdom. These things being come to this pass, we take upon us the boldness to beseech your excellency, you being a person whom your justice, courage, fidelity, and zeal for the common good have made eminent, and given so great an interest in the hearts and affections of all men who have any sense of their common good and just liberties, that you will be pleased to mediate on our behalf to the honourable houses of parliament, for the obtaining of our so dear and near concernments, without enjoyment of which even our lives will be uncomfortable to us.—And although this our Address may seem strange or hazardous unto you, we doubt not but the justice of our desires will preserve you. And as for our own parts we are resolved, in the mediation thereof, to assist you to the utmost of our power."

All the notice the lords took of these menacing Petitions, and those before received from sir Thomas Fairfax, was to order them to be sent to the several counties to know whether they would own them.

Votes of the Commons in favour of the Army's Desires.] June 21. The commons had, upon the former Representation from the Army, voted, 'That no person that had been in actual war against the parliament, or acted in the commission of array, or voluntarily aided the king, or received pardon from him, should presume to sit in the house: that if they did sit they should incur the displeasure of the house: that the committee for examining such cases be revived; and that a Declaration be brought in for any person who has a charge against any member of the house to come in: that the committee bring in, by a day, such Charges as are already before them against any members: and that reports of elections be brought in by a short day.'*

* Mr. Whitlocke here informs us, "That divers censures were passed upon the parliament

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Letter from the Parliament to the King inviting him to Richmond.] June 22. Both houses agreed on sending the following Letter to the King:

"May it please your majesty; Your majesty's loyal subjects, the lords and commons in parliament, out of their earnest desire that the Peace of your three kingdoms may have a speedy settlement, have passed their Votes for your majesty's coming to your house at Richmond* that then a joint application may be made unto your majesty, from your parliaments of England and Scotland. To that purpose it is our humble desire that your majesty will be pleased to come accordingly; and our prayers shall be to the great God, that he will bless all endeavours that shall tend to the preventing further distractions in church and state, and to the procuring of a safe and well-grounded peace. Your, &c.

Letter from sir Tho. Fairfax to the Speaker of the House of Peers, relating to the Motions of the Army.] This day the following Letter from sir Tho. Fairfax to the Speaker of the house of peers was read:

"My lord; By your lordship's of the 17th of June instant, I am commanded to render the charge of his majesty to your commissioners, now attending his majesty at Newmarket: to which I humbly answer, That the commissioners have attended the person of the king ever since his coming from Holdenby; and have been desired, by me, to continue the discharge of the trust which was committed to them by the parliament; which, that it might be the better performed, I gave them a guard of two regiments of horse, who do at this time attend the king and commissioners at Newmarket. I humbly conceive I have nothing else to answer as touching this matter.—As to our removal to a further distance from London, we entreat we may receive an Answer to the Desires of the Army in the Papers we last sent you; conceiving that otherwise we shall neither give satisfaction to the kingdom, nor to the army, who are in expectation of some effect thereupon.—There is also information of daily under-hand preparations of forces, and the keeping up of those that are raised publickly avowed, together with other grounds of jealousies occasioned by the endeavours of some to bring in foreign forces; and by sending divers

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for their cow Votes and compliance with a mutinous Army, who had their power and pay from them; whilst others approved of them as prudent, respecting the time, to avoid bloodshed. That some wished the first Votes, and the severe prosecuting the business of Disbanding, had been declined, since it occasioned all this trouble." He adds, "That now Cromwell began to mount still higher, and carried his business with great subtilty. He had got his enemies in parliament impeached, and the business of the Army guided by his son-in-law Ireton, with others, under himself."

* "The King now found himself in a better situation than at Holdenby, and had attained some greater degree of freedom, as well as of consideration with both parties. All his friends had access to his presence: his correspondence with the Queen was not interrupted; his chaplains were restored to him; and he was allowed the use of the Liturgy: his children were once allowed to visit him, and they passed a few days at Caversham, where he then resided. No private man, unacquainted with the pleasures of a court, and the tumult of a camp, more passionately loved his family, than did this good prince; and such an instance of indulgence in the Army was extremely grateful to him. Cromwell, who was witness to the meeting of the royal family, confessed that he never had been present at so tender a scene. This artful politician, as well as the leaders of all parties, payed court to the king; and fortune, notwithstanding all his calamities, seemed again to smile upon him. The parliament, afraid of his forming some accommodation with the Army, addressed him in a more respectful style than formerly; and invited him to reside at Richmond, and contribute his assistance to the settlement of the nation. The chief officers treated him with regard, and spake on all occasions of restoring him to his just powers and prerogatives. In the public Declarations of the Army, the settlement of his revenue and authority was insisted on. The royalists every where entertained hopes of the restoration of monarchy; and the favour which they universally bore to the army, contributed very much to discourage the parliament, and to forward their submission. Though Charles kept his ears open to all proposals, and expected to hold the balance between the opposite parties, he entertained more hopes of accommodation with the army. He had experienced the extreme rigour of the parliament. They pretended totally to annihilate his authority: they had confined his person. In both these particulars the army shewed more indulgence. This conjunction too seemed more natural with his generals, than with that usurping assembly. By gratifying a few persons with titles and preferments, he might draw over, he hoped, the whole military power, and, in an instant, reinstate himself in his civil authority. To Ireton he offered the lieutenancy of Ireland; to Cromwell the garter, the title of earl of Essex, and the command of the army. Negotiations to this purpose were secretly conducted: Cromwell pretended to hearken to them; and was well pleased to keep the door open for an accommodation, if the course of events should at any time render it necessary. And the king, who had no suspicion that one born a private gentlemen could entertain the daring ambition of swaying a sceptre, transmitted through a long line of monarchs, indulged hopes that he would, at last, embrace a measure which, by all the motives of duty, interest, and safety, seemed to be recommended to him." Hume.

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officers into several parts of the kingdom to possess places of strength, and to raise men; which, to our apprehensions, tend to the raising of a new war, whereof I thought fit to give you this account. I remain Your &c. T. FAIRFAX. St. Alban's. June 21. 1647."

The Answer of the Parliament's Commissioners to the above Letter:

"Sir; We have perused your Letter sent us this night by scout-master-general Watson, with the copy of yours inclosed to the houses of parliament; and having thereupon considered the Vote of both houses, and their direction to us, we held it our duty, in discharge of the trust committed to us, to let your excellency know that the order of both houses for the removal of the army 40 miles from London is positive; and we are commanded to be very earnest in pressing your excellency therein, as also to desire you to give the parliament a speedy and positive account of what you have done upon their Letter and Votes sent to you for removal of the King's Person to Richmond; to both which points we find your answers, by the copies sent us, to be defective and uncertain; and therefore do again very earnestly desire your excellency to take the same into consideration, and give a more full and certain answer to what is expected from you by both houses in these particulars. We rest Your &c. C. Nottingham. P. Wharton. St. Alban's June 21. 1647."

Letter sent thereupon to Sir Tho. Fairfax, by both Houses.] The lords, having debated upon the foregoing Papers, ordered that a Letter be written, by their Speaker, to sir Tho. Fairfax, and sent to the commons for their concurrence; which was done accordingly:

"Sir; The lords and commons assembled in parliament have received your Letter of the 21st inst. by which you gave them an account of several informations that are given to the army, that there are daily under-hand preparations made of forces, and that there is a publick avowment of keeping forces already raised: they did, by their former Letter unto you, affirm the contrary; and do again assure you that there are no forces either prepared or avowed, by their authority, against the army; and therefore they desire you to make known unto them the grounds you have of this report. They likewise disclaim any thought in them of bringing in any foreign forces; and do desire you to make strict enquiry into the occasion of these misinformations, that they may be certified from what hands they come, so that the authors of such aspersions may be known and punished. They have no knowledge of any persons employed from them for the possessing of any places of strength; and as for the raising of any men, they hope there will be no occasion to alter the confidence they have of the army, in relation to their solemn engagements to preserve the honour and privileges of parliament, and safety and peace of the kingdom; therefore they do fully and freely declare the falseness of those informations to you; and do expect your endeavours for preventing any such causeless jealousies; and, in regard of the inconveniences that do and may come to the city of London and parts near adjacent, by the army's being so near, they still insist upon their former Vote for your quartering your army no nearer than 40 miles off London. Your &c."

Ordinance for a monthly Assessment of 60,000l.] June 23. The lords passed an Ordinance, sent up by the commons, for raising monies for the service of England and Ireland. This was laying a tax of 60,000*l.* a month, to continue for one year, viz. from the 25th of March then past, to the 25th of March ensuing.

A second Remonstrance from the Army to the Parliament.] June 24. A packet was presented to the house of lords, from the earl of Nottingham, one of their commissioners residing with the Army, addressed to the earl of Manchester, containing,

An Humble REMONSTRANCE from his Excellency sir Thomas Fairfax and the Army under his command, concerning the present State of Affairs in relation to themselves and the kingdom, with their Desires and present Resolutions thereupon.*

"St. Alban's June 23, 1647.

Our Desires, as soldiers, in behalf of ourselves and other soldiers that have faithfully served the parliament in this kingdom; as also our remaining dissatisfactions, in relation thereunto, may be clearly collected out of our several Papers that have formerly been presented to the parliament concerning the same, to which particulars we have not yet received any further satisfaction.—In our late Representation† it may appear what our Desires are, as members of the commonwealth, in behalf of ourselves and all others, for the clearing, settling, and securing of the Rights, Liberties, and Peace of the kingdom; for the justness, reasonableness, necessity, and common concernment whereof unto all, we dare appeal to the whole kingdom and the world; yet we have hitherto received no Answer thereunto, nor can we hear of any consideration taken thereupon, to put the things contained therein into any way of resolution or dispatch.—We have since that, in pursuance of the first and second Heads of our Desires in the said Representation, delivered in a Charge against divers persons, members of the house of commons, for divers designs and practices to the abuse and dishonour of the parliament, the unsufferable injury of the army, the infringement of

* Printed for George Whittington, at the sign of the Blue Anchor in Cornhill, near the Royal Exchange, London, 1647. This Remonstrance is not entered in the Journals of either house.

† See p. 615.

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the rights and liberties both of soldiers and subjects, the breach or hazard of the peace of this kingdom, and the hindering of the Relief of Ireland, &c. Upon which, though the main things charged, with the mischievous effects and further dangerous consequences of them, as also the constant and continued activity of all or most of the persons charged, in relation to those things, for the most part are sufficiently and notoriously known, especially to the parliament itself; yet we find neither any thing done upon what is so known, nor any way resolved on or admitted by the parliament, for the examination or discovery of what is less evident unto them; but rather (as if neither the things charged, nor the present sad effects, nor future ill consequences thereof, were at all considerable) the whole business seems to be slightly passed over, or set aside.—Lastly, We did, with these, deliver in another Paper,* whereof here is a Copy annexed, containing divers just and necessary things, which we did desire might be provided for and done for the better proceeding in the premisses, with more safety to ourselves and the kingdom, and with more assurance or hopes of a timely and happy issue: to which things desired (which we think all men will judge reasonable, just, and necessary) we have yet received no Answer or Resolution; nor can find any consideration at all had of them, save that a month's pay is sent down for the army; whilst those that have deserted the army receive, at London, much more; and that some Votes have been passed for annulling the Orders of the pretended Committee of Safety about listing men and drawing of forces together; which votes we find rendered but vain and delusive by the continued under-hand practices of those whom we have charged, and their accomplices, in listing and engaging men for a new war; and, by a later day's votes, not admitting that the forces so listed or engaged should, by publick order, be dismissed or discharged; which with other things, we cannot but attribute chiefly to the prevalent influence of the same persons.—Now, whereas we find that our first Desire in the Paper last mentioned, for present suspending the persons impeached from sitting in the house, is judged, by some, to be against the course and privilege of parliament; or of ill consequence in the precedent of it, the Charge being but general, and no particular proofs as yet produced to render the proceeding legal; we cannot but remind the parliament, 1. That as the most and main things charged, with the sad effects and consequences of them, so the constant and continued activity of all, or most of the persons charged, in relation thereunto, in misinforming, deluding, abusing, or surprizing the house, and otherwise, are sufficiently known to the parliament itself; so as the house might, upon their past and present cognizance of the same, most justly proceed to suspend them; as in many other cases, upon far less occasions, which never could have produced such sad effects to the kingdom, they have done many other of their members, meerly for words spoken, or things moved in the house, alledged to be but against order or custom of the house; and this without any trial, proof, or charge, but merely upon the houses own cognizance of the things, as we could instance in many cases since this parliament began. 2. Whereas many of the things to which the Charge relates, are things spoke, moved, or done in the house, so as we have yet no clear way opened particularly to charge or mention them, or produce proofs to them, without some pretence against us of breach of privilege; and therefore (though we think no privilege ought to protect evil men in doing wrong to particulars or mischief to the public, yet) we have been hitherto so tender of parliament privileges, as that we have only remonstrated the evil of such things done; and supposing the house to have been (as we did and do believe, and if the way were open without breach of privilege, should not doubt to prove it was) some ways misinformed, deluded, surprized, or otherwise abused in those things by evil members, we have frequently, in former Papers before the Charge, put the parliament upon it, who, without colour of breach of privilege, might do it, to find out and discover who they were that had so abused them, and to disengage the honour of parliament from the evil practices and designs of such incendiaries. Now since the same difficulties or prejudices be yet in our way, as to the particular Charge or proof of those things against the members; and the parliament (though so often put upon it in our former papers, yet through the powerful interest of the persons guilty) hath not taken any cognizance what members or others have so abused them, to draw the parliament to such dishonour and inconveniences; we cannot but again more fully and clearly assert, (as we have in former Papers, and shall yet more particularly, if need be, remonstrate) that divers things lately done and passed from the parliament against this Army (as particularly the Order for suppressing the Petition,* that high Declaration against it, and against all that should proceed in it, putting the faithful servants of the parliament and kingdom out of the protection of law, and exposing them as enemies to the state, &c. to the forfeitures of the estates, liberties, life and all, but for going about in an humble, peaceable, and inoffensive way to desire what was undeniably their due and dearly earned, and many other such like proceedings, both against the army and others) do carry with them such a face of injustice, oppression, arbitrariness, and tyranny, as, we think, is not to be paralleled in any former proceedings of the most arbitrary courts against any private men; but have brought in insufferable dishonour upon the parliamentary authority and proceed-

* See p. 627.

* See p. 567.

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ings (which we are, and others ought to be, deeply sensible of); hath tended to disoblige all men, especially soldiers, from the same; to destroy all just freedom either of soldiers or subjects, and hath conduced to all other the sad effects and worse consequences expressed in the Charge; and gives us and others cause to conclude that those worthies who have formerly acted and carried on things in parliament for public good, right, and freedom, are now awed or overborne by a prevailing party of men of other private interests crept in; and that neither we nor any other can reasonably expect right, freedom, or safety, as private men, or to have things acted in parliament for public good, while the same persons continue there in the same power to abuse the name and authority of parliament, to serve and prosecute their private interests and passions; and, under the privilege of parliament, to shelter themselves under the worst of evils or mischiefs they can do, though to the ruin of the kingdom.—We are in this case forced, to our great grief of heart, thus plainly to assert the present evil and mischief, together with the future worse consequences of the things lately done, even in the parliament itself, which are too evident and visible to all; and so, in their proper colours, to lay the same at the parliament's doors, until the parliament shall be pleased, either of themselves to take notice and rid the houses of those who have any ways misinformed, deluded, surprized, or otherwise abused the parliament, to the vehement pressing and passing of such foul things there; or shall open to us and others some way how we may regularly, and without the scandal of breaking privileges, come to charge and prosecute those particular persons that, in truth, have so abused the parliament, as well as ourselves, even for those misinformations and other evil and indirect practices or proceedings in parliament, whereby they have so abused the same, as in our said Charge and former Papers is set forth.—And here, if we may, we should humbly offer to consideration, whether it were not a necessary expedient for prevention or remedy of such evils in future, that, in things so clearly destructive to the common Rights and Liberties of the people and Safety of the kingdom, there be a liberty for dissenting members in the house of commons, as it is allowed in the house of peers, to enter their dissent, and thereby acquit themselves from the guilt or blame of what evils may ensue; that so the kingdom may regularly come to know who they are that perform their trust faithfully, and who not: and this provision for the future, as also our Desires for Remedy in the present cases, as it were clearly good and necessary in the respects premised, so, we think, the same may well be without future prejudice or discouragement, in any other respects, to succeeding members of parliament; provided always, that no man shall be questioned or censured for any thing said or done in parliament, any further than to exclusion from that trust, which is all that in the present case we should desire upon any such grounds. And that future liberty of entering Dissents we do not here propose as a thing we any way insist on to the prejudice of parliament privileges; we only offer it to consideration, and that from good wishes to the privileges of parliament, to render them more lasting by being less nocent. And, indeed, whoever most adores or tenders those privileges will best express his zeal towards them in taking care they be not abused, or extended, to private wrongs or public mischiefs; for we clearly find, and all wise men may see it, that parliament privileges, as well as royal prerogative, may be perverted and abused, or extended to the destruction of those greater ends for whose protection and preservation they were admitted or intended, viz. the rights and privileges of the people, and safety of the whole; and in case it be so, the abuse, evil, or danger of them is no less to be contended against, and a remedy thereof no less to be endeavoured, than of the other.—And whereas the injustice in that particular of the Declaration against the Army, for their just and innocent Petition, may seem to have been recompenced in the late Expunging thereof out of the Journal Books, we confess it hath been so in great measure, as to the particular or present injury done the army therein; and we cannot but acknowledge, so far, the justice that lies in those Votes for expunging thereof; but for our own or the Army's particular reparation, we should never wish more, nor scarce have insisted on so much, to any dishonour of parliament in future; we should rather have been satisfied with the parliament's declaring how, and by whom, they have been misinformed, surprized, or otherwise abused in framing the proposal, or passing thereof, as it was: but as to that particular, or any other of that nature, we say as followeth: 1. We never did, nor do, value or regard our own injury or reparation in any comparison to the consequence of the one, or the prejudice of the other, but to the future security of the common Right and Freedom of this nation; and accordingly we do not account any reparation considerable that extends but to ourselves in the present case, and does not, in some sort, secure ourselves and all others from danger of the same or worse injuries or oppressions, as private men, from the wills or passions of the same persons that have offered and acted such things against us while an army. 2. We cannot but imagine and consider, according to general report, how the Expunging of that Declaration was carried and obtained, and upon what grounds and intentions it was given way to; but had those that procured it been all for expunging it, and that freely, yet how can we expect better but that the same men, who at one time carried such a Declaration, and another time expunged it, may the next day obtain the like or worse, upon any occasion wherein it may serve their private ends or interests, if they continue in the same

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power and sway, and be let pass in deluding and surprizing the parliament, as they have done in the past particulars? 3. The apparent dishonour and prejudice brought upon the parliament, in having such a Declaration so passed, as that they should soon after, without any alteration in the pretended ground of it, find cause, for shame of the world, to expunge, we think should engage those members that love parliaments, in point of honour, to find out and discover how, and by whom, the parliament had been abused or otherwise brought into such an inconveniency. And the parliament may in this see the temper, as bye-standers do the prevalence, of those members that abused the parliament in that Declaration, who will and can make the authority of parliament still lie under the dishonour of it, in a bare expunging or retracting, rather than admit of any consideration to acquit the authority of parliament, that would tend to fix the blame on those particular members that had deserved it: and this certainly would be admitted and done, rather than to slight it over with a bare expunging, were not some men more tender of, and more swayed with, such considerations and consequences as may tend to the prejudice of persons, than such as tend to the general prejudice and dishonour of parliaments.—As to those particulars included in our Charge, which do depend upon things done without the parliament, we are ready, and should most willingly proceed in the particular charging and proving thereof, if first (from the justice of the house in a present proceeding against the persons charged for the things that are already known to the house to have been done in it) we could find encouragement to expect any good issue upon those other things; and did we not, on the contrary, find that, notwithstanding what is so known to the house, as before expressed, the same persons continue in such power and prevalence, both in the house and in all committees of the highest trust, as leaves little hope of right or satisfaction to the army or kingdom in other things, and much less in any just proceedings against themselves, while they continue judges of their own and our concernments; so as we cannot, while they remain in the same power, expect any thing but a continued perverting and making advantage of all things, (and especially of those delays which a regular proceeding against them would necessarily induce) altogether to our own and the kingdom's prejudice and danger, to disable or weaken us for those things which the safety and settling of the Rights, Liberties, and Peace of the kingdom requires: and to strengthen themselves, by under-hand practices and preparations both at home and abroad, the better to oppose us and engage the kingdom in a new war; thereby to accomplish their designs, or at least to save themselves from justice in a common confusion: we say, were it not for these and such other considerations, that leave little hopes of justice to ourselves or the kingdom, while they continue in the same power, and render all delays dangerous and destructive to ourselves and the peace of the kingdom, we should be contented that the business concerning the members we have charged should be laid aside till those other things were first settled, which our Declaration does propound for the common Rights and Liberties of the kingdom.—But finding things still so carried as they are, and as we have before expressed, and that while they are judges in their own causes they, with that party which they make, will do what they please, and yet render it a breach of privilege to be accused for it; we cannot but, upon all these considerations, and for all the reasons before expressed, insist upon it that the members charged may first be forthwith suspended from sitting in the house; otherwise we cannot expect any fair proceedings against them upon a more particular Charge, nor think there is any good intended to ourselves or the kingdom.—As to our Desires of having the Army presently paid up equally with those that have deserted it, we appeal to all men for the Justice, Reasonableness, and Necessity thereof. The Justice; in that the former service, for which these arrears are due, hath been, at least, as faithfully and diligently performed by the army as by those late deserters of it; and in our present posture, though they have appeared indeed more officious and serviceable to the interest and will of particular men than we, yet we are sure the army is, and we hope will at last appear to be, more faithful to the true Interest of parliaments and the kingdom, which we were at first called out and engaged for, than they in deserting the Army have hitherto appeared. For the Reasonableness of our Desires; though we have ground to claim more than they, or rather that they, or some of them, should forfeit their arrears, yet we ask, for present, but equal; nor should we at present insist on that so much, as to our officers, if our soldiers were but first paid up. Our Necessity to insist on that is obvious to every man: and therefore, unless we should betray our own and the kingdom's cause, we cannot but positively insist upon it that the Army should forthwith be paid up, at least equally to those deserters of it; which, if denied or delayed, we shall be thereby inforced upon present ways of Remedy and Right to the Army therein.—And whereas the parliament hath lately ordered and publickly declared, that all that shall desert the Army shall have present satisfaction in their arrears, (the officers 3 months pay, the soldiers all their arrears, deducting for free quarter) which still continues unrecalled; we cannot but look upon it as a most clear evidence of the continuing malice and prevalence of our and the kingdom's enemies. And we must and do insist upon it, that that Order or Declaration may forthwith be publickly recalled; otherwise we cannot believe that any thing but ruin and destruction is designed to ourselves and all others in the kingdom, who every where call upon us not to disband till

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we see the Rights, Liberties, and Peace of the kingdom settled, according to the many Declarations by which we were first called forth, and invited to engage in the late war. Next we cannot but take notice, (instead of granting or answering our Desires in the last Paper) in order to the better and more safe proceeding to a composure and settlement of all things for the good and peace of the kingdom, and for the prevention of a new war, the army being first commanded to 40 miles distance from London, his majesty's person is demanded immediately to Richmond house within 8 miles of London; which, as we cannot but impute it to the prevailing interest of the same enemies to our and the kingdom's peace, so all men may easily discern, with us, how directly it tends (in pursuance of their former private designs upon the king e'er he came from Holdenby) to put his majesty within reach of those men's power, who have already underhand listed about London a very considerable number both of horse and foot, and are daily listing and engaging more, both there and in many parts of the kingdom, to serve their designs; and therefore we appeal to all unengaged men, whether we can in this give way to have the king put so far within those men's power, without giving them the long-sought-for advantage of his majesty's person; thereby to embroil the kingdom in a new and bloody war, and to strengthen themselves in their mischievous designs, the better to uphold and establish their faction and intended domination; so that, in this case, we cannot but importune the parliament, (as they tender the peace and quiet of the kingdom, and the avoiding of jealousies or worse inconveniencies in the army) that they would resume the consideration of that business concerning the Person of the King, and not propose any place for him nearer to London than they would have the quarters of the Army to be. And whereas (by procurement of the same persons, or others of their party) there hath been scandalous informations presented to the houses, and industriously published in print, importing as if his majesty were kept as a prisoner amongst us, and barbarously and uncivilly used; we cannot but declare that the same, and all other suggestions of that sort, are most false and scandalous, and absolutely contrary, not only to our declared Desires, but also to our principles, which are most clearly for a general Right and just freedom to all Men: And therefore, upon this occasion, we cannot but declare particularly, that we desire the same for the king and others of his party, so far as can consist with common Right or Freedom, and with the security of the same for the future: And we farther clearly profess we do not see how there can be any firm or lasting peace to this kingdom, without a due consideration of and provision for the rights, quiet, and immunity of his majesty, his royal family, and his late partakers; and herein we think that tender and equitable dealing, (as supposing their Cases had been ours) and a spirit of common love and justice, diffusing itself to the good and preservation of all, will make up the most glorious conquests over their hearts, if God in his mercy see it good, to make them and the whole people of the land lasting friends.

—Now to draw to a conclusion: Since we can yet obtain no Satisfaction or Answer to the things desired as before, but, contrarywise, find all things carried on by the prevailing interest of those our enemies, to the prejudice and danger of ourselves and the kingdom; since (notwithstanding some Votes of parliament against the late Orders of the Committee of Safety for listing of forces, and notwithstanding the earnest desires and endeavours of the city, concurrent with our own, to have the same prevented or remedied, yet the committee of safety being still continued in the same power) we find that, by the appointment or contrivance, and under the protection or countenance, of the same persons whom we have charged and their accomplices, there are still manifold practices under-hand, to list and raise new forces; and, notwithstanding the discovery thereof to the parliament from the city, yet the same persons have prevailed so far in the house as not to admit the question for discharging of them, but the same practices still continue, and with double diligence are inforced; since also divers forces, pretended to have been engaged for Ireland, are, by the same persons, ordered to rendezvous about Worcester, there to lay the foundation of a new Army; and to that purpose their emissaries and correspondents in all counties are busy and active to raise forces for them. And though for these things the actors of them have no present public authority, yet they have some way such countenance and assurance to be justified in parliament, if questioned for it, as that they have the confidence to act openly: since they have likewise their emissaries or agents abroad in Scotland, France, and other countries, very active to draw in foreign forces for their assistance: since, in the mean time, they are endeavouring, by spies and secret agents in all our quarters, to inveigle and invite the soldiers of this army to desert their officers and come to London; and, for that purpose, do improve the advantage of the Order or Declaration of parliament afore-mentioned, for satisfaction of arrears, to such as shall desert the army: and we find they have the public purse so much at their disposal, as to make good that and other their undertakings of that nature; and yet such as have so deserted the army and received their arrears, are not discharged or dispersed, but continued together in bodies, and under command, in and near the city, as in particular, some of sir Robert Pye's men, col. Greaves's, capt. Farmer's, and others still quartered upon Kent: Since, likewise, they have their agents and correspondents labouring with the king to make contracts with him to draw his majesty to engage and declare for them, or at least to declare himself a prisoner amongst us, thereby to

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stir up and engage his party against us: since, in all these respects, we find all dilatory ways, which they industriously devise, to be designed and made use of only to our disadvantage, weakening, and ruin; to the kingdom's prejudice, and to their own advantage and strengthening their designs: the better to prepare for a new war.—And, lastly, considering the multitudes of Reformadoes and other Soldiers swarming about the city, whom the persons we have charged, and their accomplices, have at their beck to bring up to Westminster when they please: and that, by their frequent tumultuous confluences thither (besetting, and sometimes blocking up, the parliament's doors, threatening and offering violence to the persons of the most faithful parliament-men) the just freedom of parliament seems to be taken away, or at least, for the present, abridged: insomuch that those members who have served the kingdom hitherto with most faithfulness, diligence, and integrity for the public good, many of them dare scarce come to the house; or, if they do, they come in fear and peril of their lives; and, when they are there, are awed, discouraged, or disabled from discharging their consciences, or doing their duties to the kingdom.—Upon all these considerations, we are clearly convinced and satisfied that both our duty and trust for the parliament and kingdom calls upon us and warrants us, and an imminent necessity (for our own and the kingdom's safety, and prevention of a new war) enforceth us, to make or admit of no longer delays; but, upon those foundations God hath given us, with vigour and speed to endeavour, in some extraordinary way, the vindicating of parliament freedom from tumultuous violence, the breaking of those designs and preparations that otherwise threaten a present embroilment of the kingdom in more blood and war, and a future perpetual enslaving of it under faction and tyranny: And so, if God see it good, to put the parliament into a freedom and capacity, with his majesty's wished and hoped-for Concurrence, to settle the Rights, Liberties, and Peace of the Kingdom.—Upon all these Grounds, and for all these ends premised, we shall be enforced to take such courses extraordinary as God shall enable and direct us unto, to put things to a speedy issue; unless, by Thursday night next, we receive assurance and security to ourselves and the kingdom, for a more safe and hopeful proceeding in an ordinary way, by having those things granted which, in order thereunto, we have before insisted on; and shall here, for more brevity and clearness, repeat as followeth: 1. That the Declaration, inviting men to desert the Army, and promising their Arrears in case they do so, may be annulled. 2. That the Army may be presently paid up equally to those that have deserted it. 3. That his majesty's coming to Richmond may be suspended until affairs be better settled and composed; and, in the mean time, no place may be appointed for his majesty's residence that may be any nearer to London than the parliament will allow the quarters of the Army to be. 4. That the Members charged may be forthwith suspended or sequestered the house. 5. That those that have deserted the Army may be instantly discharged and dispersed, and receive no more of their Arrears till the Army be first satisfied. 6. That both parliament and city may be, speedily and effectually, freed from those multitudes of Reformadoes and other soldiers before-mentioned, that flock together about London, by a speedy dispatch and discharging of them from the city. 7. That all such listings or raisings of new forces, or drawing together of any, as is before-mentioned, and all preparations towards a new war, may be effectually declared against and suppressed; as also all invitations or endeavours to draw in foreign forces. 8. That the present perplexed affairs of the kingdom and those concerning the Army, as also all the things desired in our late Representation in behalf of the kingdom, may be put into some speedy way of settlement and composure. By the Appointment of his Excellency sir Tho. Fairfax and the Council of War. John Rushworth, Secretary." *

The Lords desire the King not to come towards Richmond.] The same day that the foregoing Representation from the Army was presented to the lords, a Letter from the lord Montague was also read, with several Papers inclosed. After which the lords resolved themselves into a committee, to read the Representation from the Army again; and the house being resumed, a motion was made, "That a letter be sent to his majesty, to desire him for some time to make a stay at Royston, or to go to Newmarket, as he shall think fit, in regard of some things that are lately fallen out;" which was resolved in the affirmative.

Next the lords ordered a Letter to be written to the General from both houses, and their Speaker to prepare it; which was done accordingly, in hæc verba:

"Sir, The lords and commons have written a Letter unto his majesty, to desire him that he would be pleased to stay at Royston, or to return to Newmarket; and they have commanded us to give you this notice, and to send you here inclosed a copy thereof. This being all we have in command, we remain, your, &c."

* It may be matter of surprize who were the principal penmen that drew up and wrote all these Remonstrances, &c. from the Army, since they are put in much better dress and form than could be expected from a body of men, mostly mechanicks, and more accustomed to the sword than the pen: But Mr. Whitlocke informs us, "That it was colonel Ireton who was chiefly employed and took on him this business: that he had been bred in the Middle-Temple, and had learned some grounds of the law; and being of a working laborious brain and fancy, he set himself much upon these affairs, and was therein encouraged by lieut. gen. Cromwell, his father-in-law; and by colonel Lambert, who had likewise studied in the Inns of Court, and was also of a subtle and working brain."

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The Letter to be sent to the King:

"May it please your majesty; Your majesty's loyal subjects, the lords and commons in parliament assembled, in respect of some occurrences lately fallen out, do humbly desire your majesty that you would be pleased to stay at Royston, or to return to Newmarket for some time; and they hope that this delay of your majesty's coming to your house at Richmond will be no ways prejudicial to your majesty, or make any retardment of the present settling of the Peace of your kingdoms, which is the desire of, Your, &c."

Then the foregoing Vote of the lords relating to the King, the Letter to his majesty, and to sir Tho. Fairfax, being communicated to the commons, they agreed to them all immediately.

Letter from Sir Thomas Fairfax to the Citizens of London, enforcing their late Remonstrance to the Parliament.] June 24. Alderman Fowke and others, from the lord-mayor, aldermen, and common-council of the city of London, presented to both houses copies of two Letters which they had received from sir Tho. Fairfax.

To the Lord-Mayor, Aldermen, and Common-Council, of the City of London.

"Right Honourable: We received yours of the 18th of this instant, whereof, tho' all passages are not so answerable to our expectation as we hoped, yet we apprehend the same good affection in you towards this army as was expressed in your former letter, that (not only from the assurance of the worthy gentlemen your commissioners, again sent to us, but also from that information we have received of your extraordinary endeavours to procure money for the army, to prevent further raising or listing of soldiers, and to procure those already listed to be disbanded) some persons of your militia only have been active for the raising of them without your privity; as likewise from that letter fill'd with respect, which you prepared and intended to send to us; but being sent to the parliament, was obstructed by some persons, who labouring to embroil the kingdom in a new war, would not have the forces already raised to be disbanded; who excepted against your discovery to the house that some persons only of the militia had joined in the raising of the new forces; who also would prevent a right understanding between your city and this army, knowing a firm correspondence between them would make the designs of all such men hopeless: And though our taking notice of these things seems not regular, yet being so publickly done, we thought fit to mind you of them. Now, although the confidence we have of the real and clear intentions of your lordship, and the aldermen and commons of your city of London, to promote the peace of this kingdom and just Desires of this Army; also to prevent all tendencies to a new war, or any further blood; and therefore hold ourselves obliged to yield all possible compliance to what you desire of us; yet adding to the former grounds the many informations which daily come to us of the continued under-hand workings of some persons still to list men, that divers agents are sent into several parts of the kingdom to levy forces, and Worcester the place appointed for a general rendezvous, whither the troops designed for Ireland, that were part of this army, are, by some of the committee at Derby-house, ordered to march; and several of those companies that went from us for the service of Ireland having it intimated to them, and by divers carriages, perceiving they were intended as a foundation for a new Army, and of a new war, they so much abhorred the thoughts of it, as both the officers and soldiers of divers companies are of late entirely returned to the army; likewise that no means is left unattempted to bring in forces from Ireland, France and Scotland, against the peace of this poor kingdom: We upon the whole matter, offer to your and all men's consideration, whether with your, our, or the public safety, we can remove further backwards, until, upon your and our joint endeavours with the parliament, those things of immediate and pressing necessity be provided for, which we desired in our Paper last given in to the Parliament's commissioners, in order to the better proceeding upon the Heads of the Representation and Charge with more hopes of safety, and of a timely and happy issue to ourselves and the kingdom, viz. That the persons impeached by us may not continue in power and capacity to obstruct due preceedings against themselves, and, by their own escape from justice, do threaten ruin to the whole nation. That all Forces lately raised or listed, in or about the city, may be forthwith discharged, except the usual number of Trained Bands and Auxiliarie; and that all endeavours, publickly or privately, to raise any further forces, may cease and be suppressed: And that the same measure may be allowed to this army, in paying them up to the same foot of account as is already given to those who have deserted the same. And for the things expressed in our Representation, though of weighty importance, yet, because they will require much time, they shall be no occasion to impede our remove; and, in the mean time, both by proclamation from his excellency, and all other ways, we shall endeavour that the accustomed supplies to your city may be speedily sent up. To conclude: We say from our hearts, That as our special ends are the glory of God and the good of the whole land, so our endeavours shall be to prosecute the same, without prejudice to the being or well-being of the parliament in general, the maintenance whereof we value above all our own lives, as we have formerly said of this parliament in particular, but altogether in order to the good and peace of this nation, and with a most tender regard to your city; to which we profess we shall, by all actions, make good all engagements tending to the security thereof, in what way yourselves shall desire, consisting with the good of the whole kingdom, you making good your mutual correspondence

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with us, and not doing any thing to our prejudice, in the prosecution of our just desires and endeavours. St. Albans, June 21.—P. S. We hear, even now, since the writing of this letter, that yesterday divers of the Reformadoes came again in a threatening manner to Westminster, the house of commons then sitting, to the great affrightment and terror of divers faithful members then present, and to the discouragement of others from their attendance there so that we cannot but perceive that the freedom of this parliament is no longer; that those members who shall, according to their conscience, endeavour to prevent a second war, and act contrary to their ways, who for their own preservation intend it, must do it with the hazard of their lives; which is a thing indeed so destructive to parliaments and freedom, that we conceive ourselves in duty bound to endeavour, to the utmost, to procure redress therein. By the appointment of his excellency sir Tho. Fairfax, and the Council of War. Jo. Rushworth, Sec. June 21. 1647."

For Alderman WARNER, and the rest of the Honourable Committee, sent from the City of London to the Army.

"Gentlemen: We desire, to the end we may keep a right understanding with the City of London, that some of your number may continually reside with us in the head quarters, until it shall please God to put an end to the present distractions. I shall, as I told you, remove my head quarters to Berkhamsted, expecting to hear from you to-morrow night; being resolved to order my affairs the next morning, as I may not prejudice a business of such concernment to the kingdom by the loss of a day. Your assured loving friend, T. Fairfax, St. Albans, June 23."

The Answer given, in the name of both houses, by their respective Speakers, was to this effect, "That they took well this respect of the city in communicating the General's letters; and should leave them freely to their own liberty to send down what committee they shall think fit to the Army:" That they have voted, "That if any forces be listed by the committee of lords and commons, and committee of the militia, or of the committee of safety, that they be discharged: and, as to the Reformadoes and soldiers about the town, the houses have put the business into such a way as they, in their wisdoms, have thought fit: and that they return the citizens thanks for their good affections expressed upon all occasions."

Votes of the Commons relating to the 11 Members charged by the Army.] There had been great debates in the house of commons for several days together, about the Army's Charge against the 11 Members. They had written to the General to inform him, That what should be particularly charged against their Members, with testimony of witnesses, should be received; and the house would proceed in a legal way therein. On the 25th, after debate, they voted, "That, by the law of the land, no judgment could be given to suspend those Members from sitting in the house upon the Papers presented from the Army, before the particulars be produced and proof made; and that it did not appear that any thing had been said or done in the house by any of those members, touching any matters in the Papers sent from the army, for which the house could in justice suspend them." But, on the 26th, upon the Army's advance nearer to London, which they gave out was not to over-awe the parliament or the city, but only to see that the Members charged by them should be suspended the house; and that then they would give in a more particular Charge, with the Proofs to make it good against them, the commons had no other way left, to save their own honour, than to suffer these impeached members, at their own desires, to leave the house, and thereby escape their pursuers. It is remarkable, that the very day these Members withdrew, a question for proceeding immediately upon the Desires of the Army was carried by a majority of 53 against 27: and the next day another question in favour of the Army passed by 121 against 85. *

Letters relating to the Motions of the Army.] June 25. The following Letters were read in the house of lords: and first, a Letter from the Commissioners with the Army to the earl of Manchester.

"May it please your lordship; This morning the General acquainted us that the Army intended to be this night at Uxbridge. We desired to know the reason thereof, and endeavoured to prevent it. The General hath just now given us this account inclosed, which I thought it my duty immediately to transmit to your lordship; and rest, &c. C. Nottingham. Berkhamstead, June 25."

Next, General Fairfax's Letter referred to in the foregoing:

"My lords and gentlemen; In answer to your desire of a reason for the Army's motion this day, we thought fit to let you know that our quarters are more contracted, but not

* "The great end," says general Ludlow, "of this Charge of Treason being rather to keep these Members from using their power with the parliament, in opposition to the proceedings of the Army, than from any design to proceed capitally against them, they resolved rather to withdraw themselves voluntarily than to put the parliament or army to any further trouble, or their persons to any more hazard. By these means the Army, in which there were too many who had no other design but the advancement of themselves, having made the parliament, the Scots, and the city of London, their enemies, thought it convenient to enlarge their concessions to the king; giving his chaplains leave to come to him and to officiate in their way, which had been denied before." Memoirs, vol. 1. p. 197.

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nearer London than before, viz. at Watford, Uxbridge, and the towns about it, where we wait for an Answer to our just Demands presented to the parliament. We have often said, we cannot stand as lookers on, and see the kingdom ruined by the obstruction and denial of justice; and therefore we desire you to move the parliament that we may not be held still in doubts and upon disputes of their commands, to which we shall yield ready obedience when we see the kingdom in a possibility of settlement; which we conceive cannot be, unless that the fountain of justice be delivered from those that corrupt it. By the Appointment of his Excellency sir Tho. Fairfax and his Council of War. Jo. Rushworth. Berkhamstead, June 25."

Then a Letter from the Commissioners with the king:

For the Right Hon. the Earl of MANCHESTER, Speaker of the House of Peers, pro tempore.

"My lord; We received yours this morning at 6 o'clock, and have delivered the Letter from both houses to the King accordingly. His majesty, though much pressed to the contrary, was fully resolved upon his journey to Richmond; and had given orders for his dining at Ware, whither the provision of his house was gone before; but he hath now pleased to let us know that he will stay here this day, and that we shall understand his further pleasure hereafter. Col. Rossiter's regiment is upon their march to the Army by the General's orders; and col. Whaley commands the same guards here which attended at Newmarket: Your, &c. Ed. Montague. Royston, June 25."

Lastly, a Letter from the Commissioners with the Army:

"May it please your lordship; We came hither last night, where we found the general with 3 regiments of foot, the train of artillery, and some horse; 4 regiments of foot more being quartered at Watford, 3 at Colebrook, and most part of the horse behind and on the sides of the foot; and that by order, the soldiers came provided with 4 days victuals. This morning sir Tho. Widdrington and Mr. Povey came to us very early, and brought us the Votes of the houses that passed yesterday concerning the Members charged by the Army. We having some intimation that the army was to march this morning, went instantly to the general, and communicated these Votes, and such other proceedings of the houses as came to our knowledge in relation to the Army, the better to let them see the inclinations of the houses towards the army's satisfaction; and did desire that nothing might arise from them that might disturb the houses or their councils, or minister further occasion of jealousy, which we told them we very much feared the army's moving nearer London would do; a report of which had lately come to us, the certainty whereof we desired to know, and what their intentions were therein, and of their removing. We then understood from the general and his officers that at 12 last night, orders were given, upon consideration that the whole body of the foot were so closely contracted, that the quarters should be enlarged every way, as well towards London as otherwise, for the mutual ease of the country and soldiery. Against this resolution we immediately declared our objections, and very earnestly expostulated the business with the general and officers, as that which, according to our apprehensions, would minister jealousies and discontents to the houses, and obstruct the composure of things, which we found your inclinations and actions leading unto. In reply to which the general and officers prayed us to represent, that though, in their proceedings in this business, they might have been necessitated to some actions of this nature, that might carry in the face of them occasion of jealousy, yet in truth they were done for the ease of the country and soldiers; and they did also desire that this action might be so looked upon by the parliament: but withall, in this conference, we so far prevailed with the general and officers, that though the quarter masters were gone before, and some regiments were on their march towards Harrow on the Hill, and other places thereabouts, the orders were immediately countermanded, and new quarters were assigned them, with this Declaration, That none of them are appointed to be nearer London than 15 miles.—In this debate, we labouring to possess them with our good intentions for their satisfaction, and to draw them to a certainty that their removal from hence may be at a further distance from London, they made this Answer, That there were some things unresolved by the houses, contained in their late remonstrance, that were of immediate and absolute necessity to the being of the army, viz. the first article concerning the recalling of the Declaration inviting men to desert their army. The second, for equal pay for the army with those that have deserted it. And the fifth article, for discharging and dispersing of such as have deserted this army; in which, if they may receive the houses pleasure speedily, they give us hope of a certain Answer touching the motion of the army to a further distance from London. These things I thought fit to acquaint your lordship with, finding the army's expectations to be very great upon the resolutions of parliament this day to be taken. The general told us that the king was unwilling to go back to Newmarket, and that he would be this night at Hatfield. Thus I rest, &c. C. Nottingham. Uxbridge, June 26."

After reading these Letters the lords ordered all private business to be put off for ten days.

Votes passed for satisfying the Army.] Two Resolutions sent up by the commons were this day agreed to, and ordered to be sent to the General, viz. "Resolved, &c. 1. That they do declare that no Officer or Soldier, from and after the publication of this Order in the Army, shall leave it without the particular leave and

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discharge of the general.—2. That they do declare they own this Army as their Army; will make provision for their maintenance; and will take order, so soon as money can conveniently be raised, that they shall be paid up equally with those that have left the army."

June 29. Both houses agreed in a Vote, that the King should not come from Hatfield to Richmond, but go back to Holdenby; and ordered a letter to be sent to their commissioners, with another to the General for that purpose.

July 1. The lords resolved, that a Letter be sent to sir Tho. Fairfax, requiring him to see the two Votes of the 28th and 29th of June last put in execution, and to give order to the guards now with the King to observe all directions they should receive from the commissioners of parliament; also another Letter to those commissioners to put the said Votes in execution. Two Letters were accordingly drawn up by the earl of Manchester, and sent to the commons for their concurrence, who agreed to them without alteration.

A complaint being also made that Dr. Hammond and Dr. Sheldon had oftentimes, of late, used the Common Prayer Book, and officiated before the King with divers superstitious gestures, contrary to the Directory, thereby incurring the penalty prescribed by Ordinance of parliament for the same, the lords ordered that they do forthwith appear at their bar to answer such matters as should be objected against them.

July 2. The commons sent up a Vote they had passed, and desired their lordships concurrence to it, viz. "That the King should not reside nearer to London than where the quarters of the Army shall be allowed to be." After some debate, the lords, on the question, passed it also, the earls of Rutland, Suffolk, and Stamford, only dissenting.

Petition from the City of London, for payment of the Soldiery, a speedy Settlement of the Nation, &c.] This day a Petition from the city of London was presented and read, in hæc verba:

To the Right Hon. the Lords assembled in the High Court of Parliament: The Humble PETITION of the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled,

"Humbly sheweth; That the petitioners cannot but call to mind the deliverance which they and the whole kingdom did justly expect from this parliament, after so many years suffering under the power of an arbitrary government, both in their spiritual and temporal concernments; and they do humbly acknowledge that this parliament hath removed many obstacles, and are confident would, by this time, with God's blessing, have restored the kingdom to its just liberties, and settled a sure foundation for its future happiness, if they had not been diverted by the great contrivers of the kingdom's slavery; who, rather than submit to the justice of this High Court, have raised and maintained a bloody, unnatural, and long war against the parliament of England; in the suppression whereof, as much blood hath been spilt, so a great treasure hath been spent; and the kingdom is still left involved in many engagements and debts, both to their brethren of Scotland, (who, like true Christian brethren, came in to our aid against the common enemy) and also to a multitude of officers, soldiers, and others the well-affected people of this land, who did engage in the defence and support thereof. And although the petitioners, in the obligation which the cause of God and the public safety did cast upon them, have all this time both freely contributed, and chearfully submitted, to many great and unusual assessments, which also could not be levied but in an extraordinary way; yet they cannot but be sensible how arbitrary power hath been, during these distempers, exercised by committees and others, by whom the good subject hath been oftentimes more oppressed than the delinquent suppressed; and who have managed the receipts and revenues, which were designed to maintain the public charge, so disorderly and ineffectually, that the kingdom cannot but be unsatisfied concerning the due employment thereof; and doubt that much of the public money hath been employed to private ends, and remains obscured in the hands of such as were intrusted with the collection of those assessments, and the improvement of all sequestrations to the best advantage of the public. And indeed the petitioners have reason to attribute much of the late discontent and disorders of divers Officers and Soldiers unto the want of such Money as, if duly collected and faithfully managed, might have, in good part, if not fully, satisfied the soldiery; and do humbly conceive that the parliament hath so much the more reason to enquire into the same, because that, from this defect, hath risen those late attempts of some of the soldiery; and there is such use made of the Vote passed by the parliament for their satisfaction, to invite and draw together very great numbers of officers and soldiers from all parts of the kingdom, under pretence of sharing the money so obtained, that it may very much endanger the peace and safety of the city. The petitioners, therefore, for remedy of the said Grievances, and prevention of those Dangers which otherwise may be feared, and for Settlement of this miserable and distracted kingdom, do humbly pray, 1. That present command be given, that no Officers of War nor Soldiers, other than such as are already come in, do enter the line of communication, under any pretence of sharing in the Monies lately appointed by parliament towards the satisfaction of any arrears.—2. That such Officers and Soldiers, who are already paid according to the late several Ordinances of parliament in this behalf made, if their usual habitation and employment have been within the line, be enjoined forthwith to betake themselves to their calling, or some ho-

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nest condition of living; and be prohibited from their loose and tumultuous wandering and meeting within this city, and other places adjacent, under penalty of losing their arrears. And that such Officers and Soldiers as have dwellings or other relations in the country, be required to depart the line within two days after publication, and to return to their homes or habitations, and there apply themselves to their several callings, on the like forfeiture of their arrears; except such whose present and lawful occasions may require their continuance, to be approved of by a committee for that purpose to be appointed. And that the parliament would please to make some speedy and certain provision for the satisfying of all arrears unto the soldiery, who have served the parliament, within some short and convenient time, to be paid in the several counties and places of their abode, according to the conditions of their entertainment. 3. That all Officers and Soldiers, who have been in arms against the parliament, or others who have assisted or contributed thereunto, be enjoined, upon pain of imprisonment, within 24 hours after publication, to repair to their several habitations, and to fall to their lawful callings; and that such Officers, Soldiers, and others, as have no habitations nearer, be commanded forthwith to withdraw themselves, and to continue at least 20 miles from London for the space of 40 days; except such as, by a committee authorized and appointed for that purpose, shall have licence, upon just cause by them allowed, to remain in or near London, so long time until they have dispatched such businesses as they shall have in or near the city; which ended, then presently to retire 20 miles from the city, upon pain of imprisonment as aforesaid. 4. That such commanders and soldiers as, according to former Orders of the parliament, have come in from the Army, having received their Monies, may be otherwise disposed of as the parliament shall think fit. 5. That all persons whatsoever that are possessed of any Monies or Goods belonging to the public, may be enjoined to bring the same, within one month after publication, into such public treasury as is or shall be appointed for that purpose; under penalty to forfeit treble the value of that which shall be duly proved to be so concealed, the half of the forfeiture to be given to such persons as shall make proof of such concealment, and the other half to be applied to the service of the state. 6. That all Revenues, as well such as are due by Sequestration or otherwise, be managed under such commissions, and by such persons as, notwithstanding any privilege of parliament or otherwise, may be held to such rules as are, or shall be, prescribed therein, by Ordinance of Parliament; and be liable, for breach thereof, to answer the same in due course of law; and that no arbitrary power may be exercised to the contrary by any person whatsoever. 7. That the parliament would, for the present, please to lay aside all businesses of lesser consequence, or private concernment, and improve their time and utmost endeavour that such laws may be prepared for his majesty's royal concurrence as may settle the government of the Church, secure the people from all unlawful and arbitrary power whatsoever in future, and restore his majesty to his just rights and authority, according to the Covenant, without all which the petitioners can never expect any lasting establishment; that so this long divided and distracted kingdom may attain to the blessings of peace and unity in church and commonwealth. 8. And, that the people may be the better secured to enjoy the intended effects of such laws as shall be so made with the royal assent, that especial care be taken that all officers of state, and other ministers of justice, may be persons of honour, of considerable interest, and of known integrity to the parliament and kingdom. 9. That the parliament would please to provide for the carrying on of the affairs in Ireland, by a speedy transporting the forces which lie ready on the sea-side, and such others as shall be willing to engage in that service, and by such continual supplies as are requisite to reduce that kingdom to the obedience of the crown of England, and rescue the good party left there out of the bloody hands of those barbarous rebels. And, for the better encouragement of the subjects of this kingdom to continue their supplies for that service, that, with as much speed as conveniently may be, the parliament will please to take care that the people be eased of such extraordinary charges and burdens as have long lain, and still remain, upon this kingdom. 10. That, by just and good means, the correspondence with our Brethren of Scotland may, according to the National Covenant, be maintained and preserved. 11. That this honourable house would please to give order for a speedy Examination of all unlawful Elections and Returns of the members thereof, and purge the house of all such as have been unduly chosen, or have been in arms or in action against the parliament; and provide for the supply of their rooms, according to the laws of the land. 12. That some speedy course may be taken for the deciding of all causes formerly determinable in the Court of Admiralty; the Trade and Navigation of this kingdom, and the correspondence with foreign nations, being very much prejudiced, disturbed, and endangered for want of due provision herein, as hath formerly been at large represented unto this honourable house. 13. And lastly, that satisfaction being made by Delinquents, according to the wisdom of parliament, an act of oblivion may be passed, for an utter abolition and final reconcilement of all parties and differences, and for the quiet settling of peace, love, and unity among the subjects of this kingdom. All which the petitioners submit unto the wisdom of this honourable house."

The above Petition was presented also to the commons, and had only this Answer re-

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turned to it from both houses, "That the presenters had their thanks for their constant and good affections to the parliament; that the particulars of the Petition were many and long, and a great part thereof under consideration already; and the rest they would speedily consider on *."

Papers preparatory to the Treaty between the Parliament and the Army.] The Commissioners residing with the Army having sent up several Papers to the house of lords, they were read as follows:

"May it please your lordship; Upon consideration of the General's Papers, which we sent you this morning, we have this day made a further address to the general, desiring him to make known unto us the persons who should treat with us upon the Papers and Desires sent from the Army to the houses, and the Votes sent to us, and the time and place of meeting; a copy of which Letter of ours to the general I send you here inclosed: In Answer to which the general sent unto us this evening, by col. Fleetwood, a commission under his hand and seal for certain of his officers to treat with us, beginning in the morning at our lodgings by 8 o'clock; a copy whereof I also send you. We have likewise received this day, from the general, a Vindication of the Army from a printed pamphlet, published to the scandal and prejudice of the Army, a copy whereof you receive inclosed from, Your, &c. C. Nottingham. Wickham, July 1."

Copy of a Letter from the Commissioners to the General, mentioned above.

"May it please your Excellency; We have considered your Letter to us, dated yesterday, in which we perceive your excellency is ready to appoint officers to treat with us upon the Papers and Desires sent from the Army to the houses, and the Votes sent to us; and therefore we desire again that the persons, time, and place may be made known unto us, the principal of our last Propositions being, to our apprehensions, already fully answered, and the rest under consideration; which we hope will be this day perfected. We are, sir, Your, &c. C. Nottingham, P. Wharton, P. Skippon, Hen. Vane, Tho. Widdrington, July 1."

Copy of the General's Commission to treat with the Commissioners of Parliament.

"I hereby appoint lieut. gen. Cromwell, commissary-general Ireton, col. Fleetwood, col. Rainsborough, col. Harrison, col. sir Hardress Waller, col. Rich, col. Hammond, col Lambert, and major Desborough; these ten or any five of them, of which the major part of the five last, to treat and debate with the right hon. the Commissioners of Parliament residing with the Army, upon the Papers and Desires sent from the Army to both houses, and the Votes sent to the Army according to the effect of the Order of both houses, dated the 26th of June, 1647; and for that purpose, to attend the said Commissioners at their lodgings at the Catherine-Wheel, to-morrow morning at 8 o'clock, and so, from time to time, and place to place, as shall be mutually agreed upon. Given under my hand and seal at Wickham, the 1st day of July, 1647. Tho. Fairfax."

Proceedings on the Treaty between the Parliament's Commissioners and those of the Army.] July 3. A Letter from the Commissioners residing with the Army, with several Papers inclosed, were read:

"May it please your lordship; This day we have entered upon the Treaty. The commissions on both parts have been read, and some Propositions touching the method of our proceeding in the Treaty mutually consented unto, the copies whereof we send here inclosed. We have notice given us that the general and his council of war are resolved to remove the head-quarters to-morrow to Reading; at which place, they assure us, they will proceed in the Treaty with all diligence and expedition, on Monday morning by 7 o'clock; thus we rest, your, &c. C. Nottingham, P. Wharton. Wickham, July 2.

The Papers above referred to are these:

At the Treaty begun at Wickham, July 2, 1647, present, of the Commissioners of the Parliament, the earl of Nottingham, lord Wharton, field-marshal Skippon, sir Henry Vane, jun. sir Tho. Widdrington, col. White, Tho. Scawen, esq. and Tho. Povey, esq.: Present, of the Commissioners of the Army, commissary-general Ireton, sir Hardress Waller, col. Rich, col. Lambert, major Desborough:

"For the method of proceedings, it is offered by the Commissioners of Parliament, that seeing the Treaty is to be had upon the Papers and Desires sent from the Army to the houses, and the Votes of the houses sent to their commissioners residing with the Army. 1. That in all matters to be treated on, there shall be a free debate had by conference. 2. That the results of such debates, in points that relate to the Desires of the Army, shall be, by the Commissioners of Parliament, delivered to the Commissioners of the Army in writing, to be presented to the Council of War for their consideration, that a speedy conclusion may be thereupon had. 3. That in this Treaty nothing shall be taken for the Desire, Opinion, or Resolution of the commissioners, on either part, but what is given in writing, signed by their respective Secretaries. 4. That in the managing of the Treaty, and for the more speedy expedition, at any time, Papers signed as aforesaid may be sent and received betwixt the commissioners upon emergent occasions. 5. That we shall be desirous to hear from the commissioners of the Army the way and method wherein they intend

* Mr. Whitlocke observes here, "That several Members attended the house less when these matters were in agitation, being unsatisfied that the Army and City should thus seem to impose upon the parliament." This is confirmed by the frequent instances in the Journals, about this time, of Orders of leave for Members to go into the country.

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to proceed in the managing of the Desires of the Army; wherein we shall not doubt but that they will take such course as may tend to the greatest Expedition. 6. That meetings of the Commissioners shall be, from time to time, by mutual agreement of the Commissioners, or upon the desire of either party respectively, at such place within the head-quarters as the Commissioners for the Parliament shall appoint. Signed by the appointment of the Commissioners of Parliament. Geo. Pyke, Secretary."

Wickham, Catharine-Wheel, July 2, 1647.

"To the Offers of the right hon. the Commissioners of Parliament, for the method of proceeding, the commissioners of the army do answer: To the first we agree fully. To the second we agree. To the third we wholly agree. To the fourth we agree. To the fifth we shall willingly perform what is desired, at least in parts, from time to time as there is occasion; but we desire that there may be no stop to the proceedings in the Treaty, upon any part of the things to be treated on, in expectation of a general method for the whole. To the sixth we wholly agree. Signed by the Appointment of the Commissioners of the Army. Will. Clerke."

July 6. A Letter from the lord Montague was read, directed as usual.

"My lord; Yesterday the King removed from Windsor to Caversham, where now he is. Dr. Sheldon, Dr. Hammond, and others in like condition, have the same liberty of access as they had before his majesty came to Windsor. Your, &c. E. Montague. Caversham, July 4."

A Letter from the Earl of Nottingham was read; dated Reading, July 5, 11 at night.

"May it please your lordship; We acquainted you, by our last, that this morning, at 7, we were again to meet the Commissioners of the Army, to make farther proceeding upon the Treaty; in expectation whereof we continued until past 12 this day, when we had notice given us by commissary-general Ireton, sir Hardress Waller, and some others of the Commissioners, that the business of the charge concerning the eleven Members, and some other intervening occasions, had taken up so much time that they could not possibly come to us sooner; but they assured us that this afternoon, about 2 o'clock, they would give us a meeting; about which time they came accordingly, and, in the first place, propounded for our debate some things which they affirmed to be wanting in the late Votes of the houses, in relation to the Desires of the Army sent from Uxbridge, June the 27th, 1647. At this meeting also intimation was given unto us, that they have several things of weight to offer, very much conducing, as they say, to the preserving of the Peace and safety of the kingdom: Unto which we replied, That if the things they had to offer were contained within the Papers and Desires of the Army, to which our commission refers, we should then be ready to debate upon them when they were communicated to us. Your, &c. C. Nottingham, P. Wharton."

A particular Charge of Impeachment, presented to the Commons, in the Name of the Army, against eleven Members of that House.] This day, a particular Charge of Impeachment, for high Crimes and Misdemeanors, was presented, by several Officers of the Army, to the house of commons against the eleven Members, whom we have lately mentioned. The Officers being withdrawn, the impeached Members, (who, at their own desire, had leave to absent themselves from the service of the house on the 26th of last month) being sent for, and called in, the Charge was read; and they gave a general Answer to the particulars they were respectively concerned in. A day was also appointed for taking this matter into farther consideration. The following is a copy of the said Articles:*

A particular CHARGE or IMPEACHMENT, in the Name of his Excellency sir Thomas Fairfax, and the Army under his Command, against Denzil Hollis, esq. sir Philip Stapylton, sir Wm. Lewis, sir John Clotworthy, sir Wm. Waller, sir John Maynard, knights, major-general Massey, John Glynn, esq. recorder of London, Walter Long, esq. col. Edw. Harley, and Anth. Nicholl, esq. Members of the House of Commons.

"Whereas on the 15th day of June last, the Heads of a Charge were delivered, in the name of the said Army, unto the Commissioners of parliament, to be sent up to the parliament against the persons above-named: now, in prosecution and maintenance thereof, and according to the power thereby reserved, it is, in the name of the said Army, more particularly charged against the said persons as followeth:

I. That the said Mr. Denzil Hollis, during the late war, in prosecution of the evil designs expressed in the general Heads or Articles formerly exhibited, contrary to the trust reposed in him, contrary to his oath taken in June 1643, and contrary to the Ordinance of parliament, dated in Oct. 1643, hath assisted the king in the late unnatural war, and held correspondence and intelligence with the enemy against the parliament, in manner following, viz. He, being one of the special commissioners for the parliament, to present Propositions of both houses to the King at Oxford, did privately, and contrary to his Instructions, at several times, make his addresses unto the king's party there, then in arms against the parliament, namely, to the earl of Lindsey, the earl of Southampton, the lord Saville and others; and did secretly plot and advise with them against the parliament; and did intimate unto them, or one of them, that the said Propositions, then sent unto his majesty by the parliament, were unreasonable: and being demanded what Answer he would advise the

* Printed for George Whittington, at the Blue Anchor, in Cornhill, near the Royal Exchange, 1647.

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king to make to the said Propositions, he did advise that the king should demand a Treaty however, and then declare how unreasonable the Propositions were; and that yet, for the peace of the kingdom, his majesty would treat upon them; but withal wished the Treaty might be in London, whither the king himself should come upon security: Adding, That there was nothing in the world that the violent party (meaning the well-affected party to the parliament against the enemy) did so much fear as his majesty's coming to London, which would be a certain dissolution of their authority and power: and the said Mr. Hollis had those said persons, or one of them, assure the king, That if his majesty knew as much as he knew, his majesty would take his horse and be at London the next day, or words to that effect. —And it being again demanded, Whether (if the king should be willing to come) it would be accepted of? He thereto answered, That certainly it would be much opposed, but yet he was confident that he and his party (meaning some of the members above-named, and others) should carry it, and wished the king to put it upon that trial. And the said Mr. Hollis was desired by the earl of Lindsey, earl of Southampton, and lord Saville, or one of them, that he would be pleased to draw such an Answer in writing to the said Propositions, as he desired the king should send; and the said earl of Southampton, who was that night to lie in the king's bed-chamber, would persuade the king to condescend unto it; and thereupon he withdrew, and, either the same day or the next, accordingly carried unto the said lords, or one of them, a Paper ready written; which, as he said, was such an Answer to the said Propositions as he had drawn for the king to send to the Parliament; which was taken by the said lords, or one of them, and carried to the king to be considered of; and so much thereof as advised the king's coming to London was laid by, the king fearing to adventure himself, but the rest of the said Paper the lord Digby (who wrote the king's Answer to the Propositions) made use of, in the same words as Mr. Hollis had set down; who, to ingratiate himself with the king's party, did, about the same time, revile the well-affected members of the house of commons, declaring unto the king's party at Oxford, or some of them, that those well-affected Members (which, to render them the more odious as he conceived, he named the violent Independent Party) had ill intentions, and great averseness to peace; and that nothing would be more pleasing to them than for the king to refuse the Propositions, how unreasonable soever the same were: and he also then said, That the Commissioners of Scotland were very weary of that violent party; and that they, being desperate to establish their Presbytery here as in Scotland, made their addresses to him and his party. All which tended to the protracting of the said late war, and to the hinderance of an happy peace.—And the said Mr. Hollis did also, after that, receive from the earl of Lindsey, at Oxford, a Letter written in white ink, concerning some secret design; and kept it from the knowledge of the house from Feb. till about July after, when it was discovered by him that brought it; but the Letter itself was by Mr. Hollis, after he had read it, burnt; and the earl of Lindsey moved the king for a pass for Mr. Hollis to go to Oxford; but the king refused to grant it, saying, That Hollis did him better service in the parliament than he could do him at Oxford.

II. That the said Mr. Hollis and sir P. Stapylton, during the said late wars, when the earl of Lindsey went from the Tower of London to Oxford, sent several messages of intelligence to the earl of Dorset and lord Digby; thereby assuring them, that they did better service for the king here in parliament than they could do him if they were at Oxford; and sir P. Stapylton desired that the earl of Dorset would preserve him and his friends in the good opinion of the party at Oxford, which was then the king's garrison, and he would do as much for his lordship and his friends here with the parliament.—And the said Mr. Hollis and sir P. Stapylton, the more to ingratiate themselves into the favour of the enemy, did, of their own accord, without any direction of the parliament, draw up other Propositions than those mentioned in the preceding Articles, which they affirmed were, in their judgments, fit for the king to grant, and for the parliament to desire; and being so drawn up, sent them privately to his majesty, without any authority of parliament to warrant the same.

III. That the said Mr. Hollis, sir P. Stapylton, sir Wm. Lewis, sir J. Clotworthy, sir Wm. Waller, sir John Maynard, major-general Massie, Mr. Glynn, Mr. Long, colonel Edward Harley, and A. Nicholl, in March, April, May, and June last past, and at other times, in prosecution of the evil designs in the several general Heads mentioned, have frequently assembled and met together at the lady Carlisle's lodgings in Whitehall, and in other places, with divers other persons disaffected to the state, (without any authority of parliament) for holding correspondency with the queen of England now in France, and her participants; with an intent, by such secret and clandestine Treaties amongst themselves, to put conditions upon the parliament, and to bring in the king upon their own terms; and having a great power upon the treasure of this kingdom, have therewith maintained and encouraged, by pensions and otherwise, the queen's party in France; thereby to beget a second and more bloody war in this kingdom: and they, or some, or one of them, assured the queen of 40,000*l.* per annum, if she would assist them in their design; and that they would do more for the king than the army would do; and that they would find out some means to destroy the army and their friends.

IV. That in further pursuance of the same evil designs, the said Mr. Hollis, sir P. Sta-

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pylton, sir Wm. Lewis, sir J. Clotworthy, sir Wm. Waller, and major-gen. Massie, by the combination aforesaid, within 3 months last past, without any authority of parliament, invited the Scots and other foreign forces to come into this kingdom in a hostile manner, to abet and assist them in the prosecuting and effecting of their said designs.—And the said Mr. Hollis very lately sent to the said queen of England, then and still in France, advising her, among other things, speedily to send the Prince into Scotland, to march into this kingdom at the head of an army; and did send a special messenger to her for such ends and purposes. —And the said Mr. Hollis, sir P. Stapylton, sir Wm. Lewis, sir J. Clotworthy, sir Wm. Waller, sir J. Maynard, Mr. Glynne, major-gen. Massie, Mr. Long, col. Edw. Harley, and A. Nicholl, have under-hand, of their own accord, without authority of parliament, listed, or caused or procured to be listed, divers commanders and soldiers, endeavouring thereby to levy and raise a new war in this kingdom, to protect themselves in their unjust oppressions and factious designs; and have, at several times within two months last past, invited, encouraged, abetted, and counselled multitudes of Reformado officers and soldiers, and other rude persons, tumultuously and violently to gather together at Westminster, to affright and assault the members of parliament in their passage to and from the house; to offer violence to the house itself, by locking the door thereof upon them, and so imprisoning them; and, by such violences, outrages, and threats, to awe and inforce the parliament.

V. That the said Mr. Hollis, sir P. Stapylton, and Mr. Glynne, have been, and are, obstructers and prejudgers of several Petitions to the parliament for Redress of public Grievances. And the said Mr. Hollis and sir P. Stapylton, in May last past, did abuse and affront divers petitioners, who, in a peaceable manner, then attended the committee, whereof col. Lee was chairman; not only reviling and reproaching them, but violently haling and boisterously assaulting them, and offered to draw their swords upon major Tuleday and others of the said petitioners; and, without any power or authority, committed Nicholas Tew, one of the said petitioners; and, soon afterwards, by the procurement of Mr. Hollis and sir P. Stapylton, and upon their misinformation to the house, the said major Tuleday and Nicholas Tew were imprisoned, not being permitted to speak for themselves. And Mr. Glynne, about 3 months since, caused the said Tew to be imprisoned in Newgate, and to be detained a long time there, for no other cause but for having a Petition about him which was to be presented to the house.

VI. That the said sir J. Clotworthy, sir W. Waller, and major-gen. Massie, have lately, in prosecution of the said designs, in the said general Heads mentioned, (against the known laws of this realm, and rules and articles of war made by the parliament) by an arbitrary power imprisoned some members of the army without any authority; particularly ensign Nichols, whose pockets they, without authority, caused to be searched, and several Papers to be taken from him, contrary to the liberty of every subject; and caused him to be sent a prisoner from the head-quarters to London, without the authority or privity of the general, or the chief officers of the army commanding in his absence.

VII. That in or about March last, there being a Petition intended from the Officers and Soldiers of the Army to their General, for such things only as were justly due unto them, and concerning them merely as soldiers, the said sir Wm. Waller, sir J. Clotworthy, and col. Ed. Harley, a member of the army, having gotten into their hands a Copy of the said Petition, by combination with the other members above-mentioned, and with an intent to abuse the parliament into prejudices and jealousies against the proceedings of the Army concerning the said Petition, (they well knowing that the said Army stood in their way, and hindered them from bringing to pass the designs in the said general Charge expressed) did untruly and maliciously inform the house, That the said Petition was contrived and promoted to debauch and disoblige the Army from the parliament; and that it was managed and carried on by divers principal officers in the army; that orders were given out for reading of it in the head of every regiment, and whosoever would not subscribe it should be put out of the musters, and cashiered the army; and, by those and other aggravations, did represent it to the house as a design against the parliament; further adding, That some regiments, which were remote, were sent for to join with the rest of the army for that purpose; by which misinformation they did, the same day, procure a peremptory order to the general to suppress the said Petition.

VIII. That, some few days after, col. Ed. Harley, by the combination aforesaid, and in pursuance of the same designs, did produce to the house a Letter, supposed to be written from within the quarters of the Army to him, by a person not named; whereby it was informed, That col. Harley's lieut. col. had drawn his regiment to a rendezvous, and had caused the said Petition to be read at the head of it; and that he threatened to cashier and put out of the musters all that would not subscribe it; and that the design of the Army therein was to enslave the parliament and kingdom, if the parliament proceeded not to some high Resolutions, or to that effect, as by the said Letter, relation being thereunto had, may appear. And although the substance of the said Letter was most untrue and no author thereof appeared, nor could be produced, although a committee was appointed for examination thereof, and it was much pressed the author should be discovered; yet the said col. Harley, sir J. Clotworthy, and sir Wm. Waller did so avow the reality of the said Letter, and

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that the contents thereof would be made good, as that thereby, and by other false suggestions of theirs against the army, they procured the house (upon long debate, which held till about 8 at night) to order, That a committee of 5 members, whereof the said Mr. Hollis was one, should prepare a Declaration to be brought into the house the next morning, signifying the house's dislike of the proceedings of the Army upon that Petition, as by the said Order, dated the 30th of March last, may appear; upon which settling of the said business for that night, most of the members departed, as conceiving nothing would be done thereupon till the next day, and that then they might have a free debate concerning the same; but the house still continuing to sit upon dispatch of some letters formerly ordered, the said Mr. Hollis, by the same combination, and in farther prosecution of the said evil designs, having of himself, without the committee, prepared a Declaration against the Petition itself, contrary to the intention and direction of the said Order, and contrary to the rules of justice and usual course of parliament, did, the same night, about ten of the clock, on purpose to surprize the house, present the same Declaration to the house, whereby the said petitioners were, without being heard, declared enemies to the state, and obstructers of the relief of Ireland, if they still persisted therein, as by the same Declaration, whereto relation being had, may appear; and did procure it to be then passed accordingly, to the great dishonour of the parliament and their proceedings; to the insufferable injury, the just provocation, discouragement, and discontent of the army; to the trouble and danger of the whole kingdom; to the hindering of the Relief of Ireland, and other the evil consequences in the said general charge expressed.

IX. That, by the same and the like false informations and suggestions, the said col. Harley, then a member of the army, sir J. Clotworthy, sir Wm. Waller, and the said other persons, did, shortly after the said Declaration so made as aforesaid, procure divers eminent and faithful officers of the army, namely lieut. gen. Hammond, col. Hammond, col. Lilburne, lieut. col. Pride, and others, to be sent for from their charges in the army, to appear at the bar of the house, to make Answer in relation to the said Petition; against whom, when they came thither, they could charge or prove nothing at all; insomuch as the house thought fit immediately to discharge them.—And whereas there was a committee appointed to examine and consider of the truth or falshood of them, and the said Members informing were appointed to produce their proofs and evidence to the same before the committee; though they have since then been often urged, called upon, and demanded to produce their proofs and evidence thereto, if they had any, and have been plainly told, That if they did not proceed effectually to do it, they should be accounted the authors and devisers of the said falsehood, and reparation would accordingly be demanded against them; yet they have not to this day produced any proofs or evidence to any of the said informations or suggestions, whereby the parliament and the army were so much abused as before is declared; nor could they, or any of them, be hitherto persuaded to give into the said committee any Charge against the said Officers of the Army, which they had then or since procured to be sent for as aforesaid; but have held divers of them in a long and chargeable attendance upon the house, without any thing laid to their charge, until the house was pleased to discharge them.

X. That the said Mr. Hollis, sir P. Stapylton, sir Wm. Lewis, sir Wm. Waller, sir J. Clotworthy, and major-gen. Massie, in further pursuance of the designs mentioned in the general Heads charged against them, have been great instruments in the obstructing the Relief of Ireland; and, within two months last past, did untruly inform the house, That, by their procurement, there were 50 companies of foot and 10 troops of horse of this army engaged for Ireland, upon the terms and under the conduct then by the parliament propounded; and, the more to delude the parliament therein, they, or some of them, by the combination aforesaid, did procure divers officers then in this army, namely col. Butler, lieut. col. Jackson, maj. Gooday, and others, to let the said Members give in the said officers names, as listing themselves for Ireland on the said terms and conduct propounded; when as those officers did at the same time declare themselves unwilling thereunto, and resolved not to go to serve in Ireland on any terms whatsoever, though they the said members under-hand assured them, That though they made use of their names, yet they should not go for the service.—They have likewise untruly informed the house, and given in the names of many considerable officers of this army, namely capt. Pennyfather and capt. Burges of col. Butler's regiment, capt. Clarke, and four or more commission-officers of sir Hardress Waller's regiment, and others, as having been subscribed for Ireland, who did not so engage or subscribe, nor give any consent thereunto; but did then, and have ever since, utterly disavowed and denied the same.—And about the same time they also reported to the house the name and offer of lieut. col. Farrington, as being then lieut. col. of this army, and engaging for himself and his regiment for Ireland; whereas the said Farrington had been cashiered the army a year and an half before. By which, and other their untrue informations and reports of that nature, the parliament was abused and misled into a conceit and confidence of a strength out of the army, then supposed to be engaged and ready for Ireland on their own terms; when as, in truth, the same was but a meer delusion, and which was so contrived on purpose to occasion a slighting and neglecting of the army, as supposing no further use for them.

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XI. Whereas part of three regiments of foot, viz. col. Herbert's, col. Kemp's, and col. Graye's, were, by order of the house, advanced towards the Relief of Ireland as far as Bromesgrove, in the county of Worcester; the said sir P. Stapylton, Mr. Hollis, sir J. Clotworthy, sir Wm. Lewis, maj. gen. Massie, sir Wm. Waller, and Mr. Glynne, by combination aforesaid, did, of their own accord, without the knowledge or direction of the house, on the 6th of June last, (being Sabbath-Day, and without summoning a committee) command those forces back again as far as Reading, with an evil intent to draw forces together to beget a new war in England.

XII. That the said sir J. Clotworthy, in prosecution of the designs in the said general Charge expressed, hath, in the years 1642, 1643, 1644, and since, converted several great sums of money (which, by several orders of parliament, and of the Irish committee, were designed for the Relief of Ireland) to his own particular use, namely the sum of 280*l.* which, by order of both houses, dated 11th of Feb. 1642, was to be paid for 20 butts of sack for Ireland; 700*l.* which the same day was also ordered for 2000 swords; 300*l.* which by order of the said Irish committee, dated the 5th of April 1643, was designed for 120 pair of pistols; and divers other sums of money, upon several Orders, which he, from time to time, received for the use and relief of Ireland; but were not employed to the uses by the said orders intended and directed, but to his own private use as aforesaid: and that he hath, within two years last past, received several sums of money, arms, and other provisions for a troop of horse, which he pretended he had raised in Ireland; whereas he had not, nor did raise or furnish any such troop as he pretended. And that he, for Money and other rewards, hath preferred John Davis, Wm. Summers, and others, to be intrusted with the Irish affairs, who have kept correspondency with the enemy, and have defrauded the state of other great sums of money; and he hath beeen privy to, and a sharer in, such their actions.

XIII. That, about November last past, the said sir J. Clotworthy being, by the parliament, sent a commissioner, with others, into Ireland, who all had a joint power and authority to treat with the earl of Ormond for the space of 4 days, and no more; he, contrary to the special trust reposed in him, held secret intelligence with the said earl, by cypher or character, without the consent or knowledge of those others in commission with him, many weeks after the time so limited was expired; and about the same time he held the like secret intelligence with the lord George Digby, then in Ireland, beyond the time prefixed, and without the consent of the said other commissioners; and, in order thereunto, the lords Ormond and Digby lately employed one Slingsby, who pretends a design about the Prince, to come into this kingdom.

XIV. That the said sir J. Clotworthy, Mr. Hollis, and sir P. Stapylton, by combination with the rest of the members before-named, in further prosecution of the designs mentioned in the same, well knowing that the lord Lisle, late president of Ireland, was both faithful and vigilant while he was trusted in the same kingdom, and had now this last spring made provisions ready to march into the field; and that the lord baron of Broghill, general of the parliament's horse in Munster, and col. sir Arthur Loftus, persons of honour and reputation, and of great fortunes in the said kingdom, lately came purposely into this kingdom to exhibit, and did exhibit, many Articles of High Treason against the lord Inchiquin, for betraying the parliament's army to the enemy, as formerly he had done; yet, by the great power and violent interposition of the said sir J. Clotworthy, Mr. Hollis, and sir P. Stapylton, by the practice and combination aforesaid, the said Articles have been obstructed, and the business not suffered to come to a hearing, and the said lord Lisle hastily called out of Ireland, and the power and command of the parliament's forces in that kingdom committed to the said lord of Inchiquin, to the loss of this summer's service, and the expence of much treasure to make new preparations of war. And whereas the said lord Lisle, being so suddenly called from thence as aforesaid, did design and depute sir Hardress Waller, knight, major-general of the forces there, a man of known integrity and courage both for his service in England and in Ireland, and of considerable fortune there, to take care of the said lord Lisle's forces till the pleasure of the parliament might be further known, the said lord Inchiquin, upon the receipt of a letter from the said sir J. Clotworthy, Mr. Hollis, and sir P. Stapylton, or one of them, or from some other person by their, or one of their, direction, privity, or procurement, did express that he had an order or direction from London that no man that favoured the Independents (under which name the said lord of Inchiquin hath comprehended all men that have shewed themselves opposite to tyranny and arbitrary government) should have any trust or command there; nay, though they were of another judgment, yet if they would not prosecute the Independents, they should not be employed there, or words to that effect; and, under colour thereof, the said sir H. Waller, and all others that formerly had held their commissions from the said lord Lisle while he commanded, were displaced, to the discouragement of those and other faithful persons to the parliament, and to the great disservice and danger of losing that kingdom.

XV. That whereas a committee of the house of commons hath been lately appointed by the parliament, to consider of Propositions for the settling and preservation of Wales, whereof the said sir Wm. Lewis and Mr. Glynn were and are members, and to report the same to the house; they, the said sir Wm. Lewis and

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Mr. Glynn, with others of the said committee, did, on the 30th of April now last past, without any authority of parliament, before any report made to the house, of their own accord (instead of settling and preserving Wales) order that all committees for sequestration should forbear all proceedings of sequestration against all, or any, of the inhabitants of Wales; and although some few persons were upon general heads excepted, yet, by virtue of that illegal order, all the commissioners of the peace and commissioners of associations, who were as active in raising money and pressing men to serve against the parliament as any others; all the commissioners of array, that did or should at any time come in and submit to the parliament, or their commanders in chief, without any limitation of time; all that had borne arms against the parliament, unless they were governors, and other officers of war, that held out some town, castle, or fort against the parliament; all disaffected and scandalous ministers, though in their sermons they usually reviled and scandalized the parliament and their proceedings, calling them rebels and traitors, and not only incensing the people against the parliament, but usually taking up arms, and leading their parishioners in arms upon any alarm against the parliament; and many other desperate delinquents, have been, and still are, taken off and freed from sequestration; and the said order was sent to every committee in Wales in several letters, contrary to several orders and ordinances of parliament, and contrary to the rules of justice and equity, which should impartially be administered as well in Wales as in other places of this kingdom; whereby the ill-affected gentry and ministry of that country are grown so high and insolent, that honest men dare scarce live amongst them; so as that which was intended by the parliament, to settle and preserve Wales, is, by the practice of the said sir Wm. Lewis and Mr. Glynn perverted to the danger and destruction of it.

XVI. That the said sir Wm. Lewis and Mr. Glynne, have further ingratiated themselves with the delinquents of Wales, and prepared them for their said designs in manner following, viz. He the said sir Wm. Lewis hath, within two years last past, countenanced and protected many of the most notorious and dangerous delinquents within the several counties of South-Wales; namely, the lord Carbery and others in Caermarthenshire; Mr. Carew, and others in Glamorganshire; Mr. Morgan, late knight of the shire, Mr. John Herbert, and others in Brecknockshire; Mr. Gwyn, Mr. Lewis, and divers others in Radnorshire; by freeing some of them altogether from compositions, though sequestered; by labouring with divers members of the house and of committees to be favourable in compounding with others, and to admit of such to their compositions as were incapable thereof; and he hath animated and encouraged some of the said persons to continue their fidelity to the king's cause, promising them, that if they would engage their friends with the king for him, he and his would be their friends in the parliament; in so much as his friends, the delinquents in those parts, have lately looked upon him as a rising man when the king shall come to London; which hath lately been their constant boasting. And the said sir Wm. Lewis hath, within two years last past, caused divers that had been commissioners for the king, and pressed men and raised money to promote the late war against the parliament, namely, his brother, Mr. Tho. Lewis, Mr. Gwyn, Mr. C. Walwyn, Mr. Meredith Lewis, Mr. Edw. Williams, and many others, to be commissioners of the peace, and also committee-men for the said county of Brecknock; insomuch as those that have been most active and faithful to the parliament, have been, and still are, out-voted in those places, and can do no considerable service for the parliament; and the rather for that he hath also procured one Edw. Williams, his own kinsman, and one much disaffected to the parliament, to be solicitor of sequestrations in the said county, who is, and hath been, very remiss and corrupt therein. And the said sir Wm. Lewis hath, by the means aforesaid, lately procured Mr. Ed. Lewis, his son, though unfit for that employment, to be chosen and returned burgess for Brecknock; which that he might the better effect, he kept the writ for election of the said burgess above eight months in his own custody before it was delivered to the sheriff of the said county. And likewise that the said Mr. John Glynne, within two years last past, hath procured several persons, that have lately been commissioners of array, and in arms against the parliament in North-Wales, to be named in the commissions of the peace for the counties of Denbigh and Caernarvon, and other counties there, and to be put in other great places of trust and command there; and, amongst others, col. Glynne, his brother, who was lately a colonel in the king's army, is, by his procurement, become governor of the town and Castle of Caernarvon, and admiral or vice-admiral of the Irish seas; to the endangering of those counties lying upon the coasts towards Ireland, and to the fear and discouragement of the well-affected inhabitants of those places.

XVII. That the said sir Wm. Lewis, being heretofore, during these troubles, governor of Portsmouth, a garrison for the parliament, (in which time he received much of the public treasure, for which he hath not yet given an account) did, while he was governor there, frequently hold correspondence and intelligence with the king's party, about the delivery up of the said garrison; insomuch as, although sir Wm. Waller, and divers others in that garrison, were proclaimed traitors to the king, yet he, by the king's special command, was spared; the king affirming he was his friend, and that he was confident he would do him good service, or to that effect: and although he then was a parliament man and governor of

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Portsmouth as aforesaid, and was 3 years in the king's quarters, yet his estate in the county of Brecon, being of the value of above 600*l.* per annum, was never sequestered. And since the parliament hath prevailed, col. Herbert Price, (having been governor of Brecknock for the king against the parliament) being sequestred, the said sir Wm. Lewis, by his solicitations to the committee, procured the personal estate of the said colonel Price (which the committee of the county had found out, and caused to be brought to Morgan Aubrey's house in Brecon) to be restored unto him without any satisfaction to the state; and hath caused the said colonel Price's lands in the said county of Brecon, being worth about 300*l.* per annum, to be lett to a friend of the said colonel Price, to his wife's use, at 50*l.* per annum, contrary to the directions of several ordinances of parliament made in that behalf.

XVIII. That the said Mr. J Glynn, or some other person or persons by his direction, consent, or privity, or to his use, hath, during his being a member of the house of Commons, taken rewards of several persons for services done them in the house; as namely, amongst others, divers drovers from Wales, who, by his means and procurement, had an allowance by order of the house, for 3000*l.* in satisfaction of losses they had sustained by the enemy, and did pay unto the wife of the said Mr. Glynn the sum of 100*l.* as a reward for his said service.

XIX. That the said Mr. John Glynn, as he hath been most active to bring into the commissions of Peace, and into other places of authority divers notorious delinquents in North-Wales as aforesaid, so he hath been as active, as much as in him lies, to put out and keep out of the militia and common council of the city of London, and out of the commission of the peace for Middlesex, many eminent and faithful men that have laid out their estates, and adventured their lives for the defence of the parliament and city in the time of their greatest necessity; namely, alderman Pennington, col. Tichborne, Mr. Eastwick, Mr. Moyer, and others, contrary to the Declaration of both kingdoms: which hath assured all lawful favour and encouragement to those that have been faithful, and shall so continue, to the parliament; which doings must needs tend to the giving a fresh occasion and power to the enemy against the parliament's best friends, to the dishonour of the parliament, and the endangering of the kingdom.

XX. That the said sir P. Stapylton, Mr. Hollis, and sir Wm. Lewis, have, by their power and countenance, as members of the house of commons, both jointly and severally, used means to obstruct the course of justice, and have interposed themselves in several causes, and by word of mouth, moved and persuaded judges and other officers on the behalf of such as they conceive to be their friends; amongst others, in the great cause that was lately depending in the house of lords, between alderman Langham and captain Lymery, when counsel was met for the pleading thereof, they did repair to the earl of Rutland about the same; and the said sir P. Stapylton told him that they were fully satisfied concerning the justness of Langham's cause, and therefore, as the said earl did respect them, he should give his vote for Langham, or used words to that effect; which also was seconded by the said Mr. Hollis in words, and agreed unto by the said sir Wm. Lewis, as appeared by his presence and gesture; and the said sir Wm. Lewis did exercise the same power in a cause of John Gunter and others.

XXI. That the said Mr. Anthony Nicholl, although, about 4 years since, he was, by the committee of privileges, voted not a fit member to sit in the house, by reason his election was void; yet the said Mr. Nicholl doth not only sit and vote there as a member, but, by his power and threats in the West countries, and by his solicitations and indirect practices, hath brought in, or procured to be brought in, about 28 members more out of Cornwall, on purpose to carry on the designs and practices beforementioned, and to make a faction in the said house; and, notwithstanding the Self-denying Ordinance, he doth still hold a place in the Tower, formerly conferred upon him by the house, and receiveth the profits thereof to his own use.

XXII. That the said Mr. Nicholl hath, since his sitting in the house as aforesaid, taken rewards for service done there; namely, whereas sir Wm. Uvedall, knight, for deserting the parliament, and going to York with the king, was suspended the house; he, for the sum of 100*l.* or 150*l.* paid unto him, or to his use, did, by misinformations to the house, procure the said sir Wm. Uvedall to be re-admitted a member. And the said Mr. Nicholl, while he was a member of the Committee for safety, he and others of the said committee having issued forth a warrant for searching Greenwich-House, did, underhand, acquaint one of the queen's officers therewith; and thereby prevented the design of the said committee, to the great disservice of the parliament and kingdom.

XXIII. That the said Mr. Long, at the beginning of the late wars, not having courage sufficient to perform his duty in military affairs, did, out of covetousness, or other unworthy ends, procure a command of a troop of horse under his excellency the late lord-general the earl of Essex; but whenever his said troop came upon any service, he, out of fear or treachery, unworthily absented himself, and never was seen or known to charge the enemy in person, though his troop often engaged; namely, at the Battle of Edge-hill, when he saw there were like to be blows, he left the field, and never charged before his troop; and at the battle or fight at Brentford, though his troop were there, yet he staid at London till the danger was past and fighting done; And when his troop was sent into the West, he took no other notice of it, but to receive his pay; and in the mean while he repaired into the county of

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Essex, and procured a commission to be a colonel of horse, and, instead of fighting against the parliament's enemies, he betook himself to plunder and oppress the parliament's friends there; and, contrary to order, and without any authority, or exigencies of war compelling him thereunto, enforced great sums of money, and many horses and other provisions from the country: namely, from Mr. Tho. Manwood, a man well affected, who had the General's protection, and whose horses were taken from the plough, and others; to the great losses and oppression of the people, and to the great dishonour of the parliament, whose service he nevertheless neglected, and hath not hitherto given an account of the great sums of money and other things that he so exacted from the country as aforesaid.

XXIV. That the said Mr. Long afterwards, upon pretence of some losses sustained by the enemy, and some great service he had done for the state, did procure of the house a great office in the chancery; namely, to be the chief Register of that court, wherein his skill was little, and whereof he was, and still is, altogether incapable; and although for a time, upon the Self-denying Ordinance, he was displaced, yet, upon the motion, or by the power and means, of the said Mr. Hollis, he hath obtained the said office again; to the great prejudice of skilful clerks that have been bred up in the said court, to the disservice of the common-wealth and the dishonour of the house.

XXV. The said Mr. Long, on purpose to drive on the designs in the said several Charges expressed, hath for two years last past, usually pressed and urged several members to give their Votes such ways as he pleased; and to that end and purpose, doth constantly place himself near the door of the house; and, when any debate is concerning any design wherein his party is engaged, he hath used such tamperings and violence to such of his own party as would go out of the house, and hath persuaded them to continue there for their votes: and he, in case any such have gone out of the house, hath been very inquisitive where they might be found, that so he may go for them when the business in debate comes near to be put to the vote; and, when they come not according to his expectation, doth ordinarily and speedily run out of the house himself to call them and drive them in again, so that he hath been commonly called (by those that are without the house and have taken notice of his actions) the Parliament Driver; whereby the freedom of the members is taken from them, the manner of the parliament's proceedings much scandalized, and many times evil and dangerous designs drove on in a faction by votes, to the great prejudice of the common-wealth. —All which matters and things the said Army will be ready, in convenient time, to make good, by proof upon oath, as this honourable house shall direct. And for that by reason of the straitness of time, and other more weighty affairs of the Army, they could not so fully finish and accomplish the said Articles; therefore the said Army still reserve further liberty to add other Articles against the said Members, or any of them, at any time before their trial, as occasion shall serve. By Appointment of his excellency sir Thomas Fairfax, and the Council of War. Jo. Rushworth, Secretary."*

Resolutions of the Commons, That all Persons, who had adhered to the King, be disabled from sitting as Members.] July 9. The commons

* Besides the general motives to this transaction of the Army (arising from its being at this time guided entirely by Cromwell and the Independent party, as the house of Commons, through the influence of these Members, was by the Presbyterian) there were not wanting private resentments among particulars: For lord Clarendon writes, "That Mr. Hollis had one day, upon a very hot debate in the house, and some rude expressions which fell from commissary Ireton, persuaded him to walk out of the house with him, and then told him, 'That he should presently go over the water and fight with him.' The commissary replying 'His conscience would not suffer him to fight a duel,' Mr. Hollis, in choler, pulled him by the nose; telling him, 'If his conscience would keep him from giving men satisfaction, it should keep him from provoking them.' His lordship adds, "This affront to the third person of the Army, and to a man of the most virulent, malicious, and revengeful nature of all the pack, so incensed the whole party, that they were resolved, one way or other, to be rid of him, who had that power in the house, and that reputation abroad, that when he could not absolutely controul their designs, he did so obstruct them that they could not advance to any conclusion." This anecdote is, in some measure, confirmed by the authority of the Commons Journals; wherein we find "That the house having been informed that some matters of difference had happened between Mr. Hollis and commissary Ireton, the Speaker, by command, laid an injunction upon them not to proceed any further thereupon." Commons Journal, April 2, 1647.

An anonymous Writer of these times † frequently quoted by lord Hollis in his Memoirs, informs us, "That Cromwell confessed he had nothing against sir John Maynard, another of the impeached Members, but that he was put up amongst the rest, because he was a busy man against the lieutenant-general and his faction."

† The Grand Design; or a Discovery of that Form of Slavery intended and in part brought upon the free People of England, by a powerful Party in the Parliament, and Lieut. Gen. Cromwell, Commissary-General Ireton, and others of that Faction in the Army, tending to the utter Ruin and Enslaving of the whole Nation. Written by Sirrahniho, not an invective, but moderate and impartial, Observer of the Transactions of Parliament and Army. Printed in the last Year of England's Slavery. 1647.

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came to the following Resolutions, which had been debated in their house several days: 1. "That no person that hath been in actual war against the parliament, or hath acted by the commission of array, or voluntarily aided the king in this war against the parliament; or that, since the 20th of May, 1642, hath sued for, or voluntarily accepted, a pardon from the king; or has directed, advised, assisted, signed, or consented unto the Cessation of Ireland; or otherwise assisted the rebellion of Ireland; or as stand sequestered by authority of parliament, for delinquency, shall presume to sit in this house. 2. That the persons that shall be comprehended within this Order shall incur the penalty of being put into the second Branch of the fourth Qualification, in the Propositions concerning such members as deserted the parliament and sat in the unlawful assembly at Oxford."

The same day an Ordinance passed both houses for all Delinquents and Malignants to depart out of the lines of communication, and 20 miles distant, in five days; the earls of Lincoln, Suffolk, and Middlesex, with the lords North, Willoughby, and Hunsdon, dissenting. Also another Ordinance passed, commanding all Officers and Soldiers to depart from the cities of London and Westminster, and parts adjacent. The former lords, with the earl of Stamford, dissenting.

Letter from sir Tho. Fairfax, to desire the King may see his Children; and vindicating the Behaviour of the Army towards him.] A Letter from sir Thomas Fairfax, sent to both houses, was read: the copy thereof, as published by order of the general and his council of war, runs thus: *

"Mr. Speaker; I was sent unto by the king on Friday last, to desire the parliament to give way to him to see his Children; and that they might, for that purpose, be sent to him. If I may be bold humbly to offer my opinion, I think the allowance of such a thing may be without the least prejudice to the kingdom, and yet gain more upon his majesty than denying it; and if it be the prayer of every good man that his heart may be gained, the performance of such civilities to him is very suitable to those desires, and will bear well with all men; who if they can imagine it to be their own case, cannot but be sorry if his majesty's natural affection to his children, in so small a thing, should not be complied with; and if any question should be concerning the assurance of their return, I shall engage for that within what time the parliament shall limit.—Upon this occasion give me leave, I beseech you, to take notice of some reports spread abroad, as if myself and the officers of the Army were upon some under-hand contract or bargain with the king; and from thence occasion is taken to slander our integrities, and endeavour a misunderstanding betwixt the parliament and their army; the fidelity of which to the parliament and kingdom, and their affection to it, are the great objects of many men's envy, because they see nothing so likely to settle right and freedom, with truth and peace, to us and our posterity, and to hinder their designs against the same, as an harmony and good accord between the parliament and army; which is the joy of good men, and which shall be our study to preserve against all designs and designers to the contrary.—To prevent, therefore, all misunderstandings of that kind, I thought fit, with all clearness, to declare unto you, That we have done nothing, nor shall do any thing, which we desire to hide from you or the world, or shall not avow to the faces of our greatest adversaries.—Our Desires concerning a just consideration and settlement of the King's Rights, his majesty first giving his concurrence to settle and secure the Rights and Liberties of the kingdoms, we have already publickly declared in our Representation and Remonstrance. Since the first of those Papers sent to the parliament, there have been several officers of the army, upon several occasions, sent to his majesty; the first to present to him a copy of the Representation, and after that some others to tender him a copy of the Remonstrance: upon both which, the officers sent were appointed to clear the sense and intention of any thing in either paper, whereupon his majesty might make any question. Since then there have also been some officers, at several times, sent to his majesty about his remove from Hatfield; to dissuade, if possible, from Windsor or any place so near London, to some place of further distance, answerable to what we had desired of the parliament.—In all which addresses to his majesty we care not who knows what hath been said or done; for as we have nothing to bargain for or to ask either from his majesty or the parliament, for advantage to ourselves, or any particular party or interest of our own; so, in all those addresses to his majesty, we have utterly disclaimed and disavowed any such thing, or any overtures or thoughts tending that way; but the only intent and effect of those our addresses hath been, to desire and endeavour his majesty's free concurrence with the parliament, for establishing and securing the common rights and liberties, and settling the peace of the kingdom; and to assure him, that (the public being so provided for, with such his majesty's concurrence) it is fully agreeable to our principles, and should be our desires and endeavours, that (with and in such settling of the public) the rights of his majesty's royal family should be also provided for, so as a lasting peace and agreement might be settled in this nation; and that, as we had publickly declared for the same in general terms, so, if things come to a way of settlement, we should not be wanting in our spheres, to own that general desire, in any particulars of natural or civil right of his majesty's person or family, which might not prejudice or again indanger the public; and,

* Printed for Lawrence Chapman, July 10, 1647.

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in the mean time, that his majesty should find all personal civilities and respects from us, with all reasonable freedom that might stand with safety, and with the trust or charge lying upon us concerning his person.—You have here the utmost sum of what hath passed from us to his majesty; and we could wish all men did rightly understand, without misrepresentation, every particular; wherein (as we know nothing not agreeable to reason, justice, honesty, or conscience, so) we thought ourselves concerned the rather to say and do as we have towards his majesty, since he came within our quarters, because of those common prejudices suggested against us, as if we were utter enemies to monarchy, and all civil order or government.—And for that particular of the duke of Richmond and the two Chaplains lately permitted to attend his majesty; it was not done without much reluctancy, because therein we doubted we might be misunderstood by the kingdom's best friends; but upon his majesty's continued importunity for it, as a thing very nearly concerning his present inward and outward contentment; and conceiving those persons such, as we hoped, would not do ill offices to prejudice the peace of the kingdom, we did give way to it; and the persons, before they came, had notice of the permission: and as we then thought, so we still do think, that to allow him some such company of persons least dangerous, whom former acquaintance may make him take pleasure in, and the allowance of some such Chaplains of his own, are things both reasonable and just; and the debarring of that liberty in the latter, we doubt, will but make him more prejudiced against other ministers.—In general, we humbly conceive that, to avoid all harshness, and afford all kind usage to his majesty's person, in things consisting with the peace and safety of the kingdom, is the most christian, honourable, and prudent way; and in all things (as the Representation and Remonstrance of the Army do express) we think that tender, equitable, and moderate dealing towards his majesty, his royal family, and his late party, so far as may stand with safety to the kingdom, and security to our common rights and liberties, is the most hopeful course to take away the seeds of war or future feuds amongst us for posterity, and to procure a lasting peace and agreement in this now distracted nation; to the effecting and settling whereof (with a secure provision first to be made for the common rights and liberties of the kingdom, and a due care to preserve and propagate the Gospel of Truth and Peace amongst us) we shall hope that neither the parliament nor his majesty will be wanting: and if God shall see it good to make us any way instrumental thereunto, or that we may otherwise see the same accomplished, we shall then think ourselves indeed discharged from the public engagements we have been called out unto, more clearly and effectually than (before such things were settled) we could have thought ourselves to be; and, to demonstrate our clearness from seeking self-advantages in what we did, we shall thenceforth account it our greatest happiness and honour, if God see it good, to be disengaged and dismissed, not only from our military charges, but from all other matters of power or public employment whatsoever.—I have in these things spoke, not in my own name alone, but in the name (because I find it to be the clear sense of the generality, or at least of the most considerable part) of the Army; and I am confident you and the kingdom will never find it otherwise: I shall leave it to your favourable construction, and commit all to the goodness of God for an happy issue. I remain, Your, &c. T. FAIRFAX: Reading, July 8."

The King's Letter thereupon to the Duke of York, appointing an Interview.] July 12. The house of lords sent a Message to the commons, and therewith a Letter from the King to the duke of York, intimating his majesty's desires to see his Children; which their lordships agreed to, and sent to the commons for their concurrence. His majesty's Letter was read as follows:

"James, Caversham, July 4, 1647.

"I am in hopes that you may be permitted, with your brother and sister, to come to some place betwixt this and London, where I may see you; to this end therefore I command you to ask leave of the two houses to make a journey, if it may be, for a night or two; but rather than not to see you, I will be content to come to some convenient place to dine, and go back at night: and foreseeing the fear of your being within the power of the Army, as I am, may be objected to hinder this my desire, I have full assurance from sir Thomas Fairfax and the chief officers, that there will be no interruption or impediment made by them for your return, how and when you please. So God bless you. Your loving Father, CHARLES R. P. S. Send me word, as soon as you can, of the time and place where I shall have the contentment of seeing you, your brother and sister."

The commons having debated upon this Letter, and what was proposed by the General in his last concerning the same, it was at length agreed upon by both houses, that his highness the duke of York, and the rest of the King's Children, shall have leave to go to his majesty; to continue with him two days, and then return; and the earl of Northumberland to go with them and take care of them.

This day the commons after long debate, voted the Impeachment against the eleven Members to be a Charge, and ordered them counsel and a week's time to bring in their Answer.

Petition from the young Men and Apprentices of London, for the Safety of the King, Settlement of Church Government, &c.] July 14. A Petition was presented to both houses, the title of which runs thus: 'To the Honourable 'the Lords and Commons assembled in Parlia-'ment, the humble Petition of those well af-

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'fected to the Government, both young Men 'and Apprentices of the City of London, sub-'scribed by above 10,000 hands.'—Six of the petitioners being assembled at the door of the house of peers, were all immediately called up to the bar, where one of them, in the name of the subscribers, spake as followeth:

"My lords; If it may please this honourable house, we are commanded, by the young Men and Apprentices of the city of London, to present your honours with this their humble Petition; being in pursuance of their Covenant with God which is upon them, humbly craving your charitable construction; their ends being single, for the glory of God, the peace of the kingdom, and vindication of the parliament."

The Humble PETITION of divers well affected Young Men and Apprentices of the City of London, &c.

"Humbly sheweth; That your petitioners have, with the forwardest, been ever ready in this common cause of religion, laws, and liberties, to adventure their lives for the preservation thereof; which we hoped, after so much expence of blood, and (by God's providence) such happy success of your armies, would have been settled to us and our posterities in a lasting Peace; yet, to the grief of our hearts, your petitioners cannot but take notice how, in these unhappy times of distraction, divers discontented persons labour to sow new seeds of discords and divisions amongst us; whereby incendiaries and malignants are encouraged, your faithfullest friends discountenanced, the privileges of parliament violated, magistracy opposed, the publick worship of God slighted, and the liberties and properties of the subject much endangered: all which your petitioners laying sadly to heart, and having more before their eyes the glory of God and the happiness of his majesty's kingdoms, than their own private interest, (which we shall readily sacrifice for the public) do, in all humility, most humbly pray, 1. That, according to our Solemn League and Covenant, his majesty's royal person may be defended; and that his just power and greatness (in the preservation and defence of the true religion and liberties of the kingdoms) may be established. 2. That the Rights and Privileges of parliament may be vindicated, and the lawful liberties and property of the subject preserved and maintained. 3. That the government of the Church may be speedily settled, Conventicles (the seminaries of separation) suppressed, and a toleration of licentious liberty effectually declared against. 4. That all Incendiaries, Malignants, and evil instruments which hinder the reformation of religion, dividing the king from his people, or one of his kingdoms from another, or making any faction or parties among the people, contrary to the Solemn League and Covenant, may be brought to public trial, and receive condign punishment. 5. That all obstructions to the ordinary course of justice may be removed, and the insufferable abuses of committees and their officers considered. 6. That the Arrears of the Soldiery of this kingdom may be satisfied, and security granted for their further indemnity, for all acts done by them, tempore & loco belli. 7. That the Army now on foot may be disbanded or otherwise disposed of, that so this almost exhausted kingdom may be freed from those many grievous taxes and oppressions it now groans under. 8. And whereas there have been and still are great abuses and insufferable injuries done to your petitioners, by the Sale of Freedoms, and Foreigners intruding into the suburbs and places near adjacent to this city, whereby your petitioners are much discouraged in their service, the freemen of this city prejudiced, and the franchises and liberties thereof infringed: we therefore humbly beseech this honourable assembly to resolve on some course, (as you in your wisdom shall think fit) as well for the expulsion of such as have so unduly crept in among us, as for the future prevention of the like insufferable injuries that may redound to your petitioners hereafter. And your petitioners, being always ready to adventure their lives and fortunes for your defence and preservation, shall ever pray, &c."

The ANSWER of the House of Peers, delivered in Form, by the earl of Manchester.

"Gentlemen; The lords have commanded me to return you hearty thanks for your good affections and pious care for the public peace of the kingdom, which you have expressed by your Petition. Their lordships will take the particulars thereof into their speedy consideration."

But the foregoing Petition having been presented to the commons, they only ordered two of their members to acquaint the petitioners, "That that house had divers matters of the Petition already before them, and would take the rest into consideration in due time."

Protest against an Order concerning Stage Plays.] July 16. An Order for suppressing of Stage-Plays was read twice in the house of lords; and it being put to the question, Whether to limit the time to the 1st of January next? it was carried in the affirmative, the following lords entering this their Protest against it: "We conceiving Stage-players and Stage-plays to be unlawful, and the parliaments of England and Scotland, by their Propositions, having desired that they might be forbidden for ever; the question being put for the Limitation of Time to the 1 of January next, we do here enter our Protestation against that limitation. Manchester, Kent, Mulgrave."

The Order was directed by both houses to the lord mayor, to take care to suppress all public Plays and Play-houses, all Dancing on Ropes and Bear-baitings, &c.

Answer of the 11 Members impeached by the Army.] July 19. This day the eleven Members, impeached by the Army, delivered to the house of commons their Answer to the Charge against them, which was read the first time in

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their presence; and then, they having of themselves withdrawn, the said Answer was read a second time; as follows:

A full VINDICATION and ANSWER of the Eleven accused Members to a late printed Pamphlet, intitled, 'A particular Charge or Impeachment, in the name of sir Thomas Fairfax and the Army under his command, by his appointment and the Council of War.'

"Although we be not ignorant of the illegality and insufficiency of that which is printed and published for our Charge, seeming unto us, for the greatest part thereof, rather an arraignment of the proceedings of the house of commons, as supposing them to be acted and carried on in a design, by the interest and prevalency of the persons charged; and that all the particulars mentioned in this Charge should be, by them, committed and done in pursuance of that design; a thing so contrary to the nature, and derogatory to the honour, of a free parliament, and of a dangerous consequence, to render all suspected and invalid which this parliament hath done or shall do: And that this Charge is brought in the name of an Army, and so is an accusation enforced by power, contrary to the statute of 31 Hen. 6. c. 1. and no accuser appearing liable to satisfy the parties grieved for their damages and expences, if the accusation prove false and untrue, (as this most certainly is) against the tenor of several statutes made in that behalf:* Nor is it unknown that many indirect and unjustifiable ways have been practiced in providing the materials of this Charge, by tampering with persons to become our accusers; setting general inquisitions upon some of us, who have faithfully served our country, (most of us for the space of near 7 years in that house, and the rest of us the time of our being members) to the wasting of our estates, prejudice of our healths, and many inconveniencies to our persons by much travel and labour, without those advantages by way of gift or otherwise, which some of our accusers, and divers others, have had, for which we bear them no envy at all; yet books have been searched, proceedings at committees viewed, the king's and Digby's cabinets and private papers (of which our accusers had the maidenhead) searched for intelligence, yet not one syllable found against us in them; servants and attendants examined to rake up matter against us (an absolute breach of privilege of parliament, and not well consisting with the liberty of the subject): All this notwithstanding, which we might very well take exceptions at, and besides that we now lie under that great disadvantage which the philosopher did, who disputed with the Emperor who commanded thirty legions, so that all his arguments were too weak, nor could he make use of that strength of reason and truth which his cause did afford; yet we, presuming upon our innocency and the justice of those who must judge us, but principally upon the goodness of the great God, who is the support and avenger of the oppressd, and hath protected, for several years, some of us, when we have been the object of malice and power, and marks set up to be shot at for destruction; to which purpose our actions, speeches, and our privatest conversations have been, as narrowly as could be, observed and inquired into; prisoners, discontented persons, friends and foes, examined upon us; all manner of persons dealt with, that could be imagined willing to betray, and able to say any thing against us, yet God having preserved us, as he did David from the bear and lion, which encouraged him likewise to promise himself deliverance from the uncircumcised Philistine, though so much more mighty than he; in like manner we trust for his assistance and protection at this time, and shall apply ourselves to the particulars insisted upon, and not formerly cleared and discharged upon a strict examination and debate in parliament; and shall give, we doubt not, a satisfactory account of our integrity and innocency in them all, in order as they lie.—

The first Article of the Charge, which concerns Mr. Hollis singly, is partly of 'Passages at Oxford about 3 years since.' With these he cannot undertake to charge his memory at this time, to give particular and positive Answers thereunto; but he saith, There is no new matter at all in this Charge, and that the whole business received a full and perfect disquisition in the house of commons, in July, 1645, now two years past; when, as near as he could remember, of all done and said by him concerning the particulars, then and now laid to his charge, he gave an account, together with another gentleman, a very worthy member of the house, and his fellow-commissioner at Oxford *, who was then accused by the lord Saville to have joined with Mr. Hollis in all the parts of this Charge; and the house was so fully satisfied of their good intentions in their transaction of that business, that, after a very long debate of several days, they ordered it, upon the question, the 19th day of that July, 'That the matter of the report' (which was this whole business now endeavoured to be revived in this Charge) 'should be totally and finally laid aside.'—As for the particular Answers which he gave in the vindication of his innocency, asserting the truth, and discovering the malice and falshood of his then accuser, the lord Saville, he refers himself to the public Examinations, Proceedings, and Resolutions in the house, and what was then and there delivered, both by him and the other gentleman together with him, at that time most falsly accused by the lord

* 13 Edw. 1. c. 13. 25 Edw. 3. c. 4. 27 Edw. 3. c. 2. 38 Edw. 3. c. 9. 17 Rich. 2. c. 6. 15 Henry 6. c. 4. Notes in the Original.

* Mr. Whitlocke, in whose Memorials, p. 148, et ultra, as also in lord Hollis's Memoirs, p. 38, the reader will find an ample account of this business.

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Saville; who hath since so far bethought himself, and testified a remorse for the injury he then did unto these two gentlemen, that it is not very long since he sent a person of honour, a peer of the realm, unto Mr. Hollis, assuring him, 'That when his composition was once made and perfected,' (for this was at the time that the lord Saville was upon compounding for his delinquency) 'he would then discover 'unto him,' meaning Mr. Hollis, 'how that 'whole business was laid against him, and who 'they were that laid it; which when he knew, 'he would see he had no cause to be so angry 'with him; and therefore desired him not to 'be against him in setting the fine for his com-'position:' Adding withal, 'He durst not dis-'cover it till he was out of their danger,' meaning those who had laid that design against Mr. Hollis; 'for if they had the least inckling of it, 'they would certainly ruin him.' This was the substance, and, as near as can be remembered, the very words, which were delivered unto Mr. Hollis by that lord, in the name of the lord Saville, and from him. But Mr. Hollis was so far from being vindictive against those who had expressed so much malice against him, and endeavoured his ruin, as he wholly put it out of his thoughts, never so much as sending to the lord Saville after his composition was past; in the making whereof he did him no disservice at all, as in truth scorning it.—Another clause in the first Article is concerning a 'Letter sent from the earl of Lindsey unto Mr. Hollis, containing,' as is laid in the Charge, 'some secret Design.' This was likewise examined in the house, and by Mr. Hollis himself first discovered unto the house, contrary to what is in the printed Paper most falsly suggested, and this done by him as soon as it came into his mind; for when he received it, which was very late one evening by a servant of lord Saville's, he immediately after fell sick, which made him clean forget it; nor doth he know what became of the Paper, whether or no he burnt it; The contents of it were only one line, a recommendation of the bearer from the lord Saville, the very words whereof were then fresh in his memory, and by him repeated in the house; when such satisfaction was given, as that there passed a Vote the 19th of July 1645, 'That the receiving of that Note in the manner Mr. Hollis did, was no holding intelligence with the enemy.'—There is another part of this first Article, 'of the earl of Lindsey's moving for a Pass for Mr. Hollis to go to Oxford;' and the king's saying, 'He did him better service in the parliament than he could do there,' which was likewise, by the lord Saville, informed to the committee appointed for the examination of that business, and so reported to the house; at which time Mr. Hollis said, and still doth, That he knew nothing of it, and was, and is, most confident that it is most false; for that he never signified any such desire to the earl of Lindsey, or to any body else, nor ever had it in his thoughts.

To the second Article, which charges Mr. Hollis and sir P. Stapylton, jointly, with 'sending several messages to the earl of Dorset and lord Digby,' and sir P. Stapylton singly 'to have sent one to the earl of Dorset;' and then both Mr. Hollis and sir P. Stapylton to have 'joined in drawing Propositions, and sending them privately to his majesty; they both of them say, for what concerns both, and sir P. Stapylton, for what concerns himself, (this being the only thing in all the Charge that is singly objected against him) That the whole Article is false and untrue in all and every part of it.

The third Article lays a Charge on the 11 Members jointly, 'for meeting together at 'lady Carlisle's lodgings, in Whitehall, and 'other places, with other disaffected persons; 'for holding correspondency with the Queen, 'to put conditions upon the parliament, to 'bring in the king upon their own terms; and 'do such other things, in prosecution of their 'evil designs,' as are in that article mentioned. To all and every branch whereof they do all jointly, and each of them severally, give a full, positive, and absolute denial; and affirm, That the whole Charge in that Article is scandalous and false in matter and form. Most of them declare, That within the time there limited for those meetings to have been, and at no time before or since, they have at all been at her ladyship's lodgings; only Mr. Hollis, sir Wm. Lewis, and sir P. Stapylton do acknowledge that, by her ladyship's favour, they have many times waited upon her, both at her own lodgings in Whitehall, and elsewhere, yet never to any such intent and purpose, as is in the Article most falsly suggested; but only to pay unto her ladyship that respect which is due unto her (a person of so great honour and desert) from them, and in truth from all others who are well-wishers to the welfare of this kingdom.—And whereas it is said, 'That they had a great power upon the 'treasure of this kingdom, and thereby main-'tained the Queen's Party; assured her a pen-'sion, and undertook to do more for the king 'than the Army would do,' who it seems are now ambitious in out-stripping all others in acting for his majesty: it is very well known that these persons have not all meddled in money businesses; have had least to do with disposing of the public treasure, and therefore could not pleasure others with it; and least of all have they received any part of it for their private uses, some of them having declared themselves in the house, when the house was pleased to vote them considerable sums in recompence for their very great sufferings for the commonwealth, That they would receive nothing till the public debts were paid; and none of them are the men that have grown great in these calamitous times, and been enriched upon the ruin of others, nor preferred themselves and their friends to higher fortunes than otherwise they could ever have aspired unto; therefore there is neither truth, nor semblance of truth, that they should be guilty

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of engaging the public treasure and stock, as the Article charges; nor would any have believed them if they had been so false and foolish as to have offered it. In conclusion they say, The whole Charge in this Article is utterly false.

The fourth Article, which chargeth Mr. Hollis, sir P. Stapylton, sir Wm. Lewis, sir J. Clotworthy, sir Wm. Waller, and major-gen. Massey, to have, 'within the space of 3 months 'last past, invited the Scots, and other foreign 'forces to enter this kingdom,' is by them averred to be utterly false; as likewise that part of it which charges Mr. Hollis to have 'sent unto 'the Queen, to advise her to send the Prince 'into Scotland, to come into this kingdom at 'the head of an army,' is by him declared to be most untrue, and a meer invention of malice against him. And, in the last place, where it chargeth the 11 Members, 'to have 'listed, or caused to be listed, divers commanders and soldiers without authority of parliament, and to have encouraged Reformado 'officers and soldiers to gather together tumultuously at Westminster, to affright and assault the members of parliament,' there is nothing of truth in it, and reflects more upon their accusers than on them.

To the fifth Article, which charges Mr. Hollis, sir Philip Stapylton, and Mr. Glynn, to have 'been obstructers of Petitions 'to the parliament for Redress of public 'Grievances,' they say, That what hath been done by them, or any of them, in matters of petitions, was done in the house of commons, and only there; where they have, upon occasion, delivered their opinions concerning some seditious petitions, which they supppose to be the petitions intended by the Article. And for what is said of Mr. Hollis and sir P. Stapylton's 'affronting some Petitioners attending a committee, as major Tuleday, and committing Nicholas Tew, without authority,' they do say, That Tuleday and Tew affronted the committee; that Tew endeavoured to raise a tumult in the Court of Requests, to the disturbance and danger of the committee; whereupon the committee thought fit to restrain him until the next morning, when they would acquaint the house with it: that all, both concerning him and Tuleday, was reported unto the house, and both of them were, by the house, committed upon just reasons, and afterwards both of them discharged or bailed; the one upon the motion of Mr. Hollis, and the other of sir P. Stapylton.—And, whereas it is said, 'That they were not permitted to speak 'for themselves,' it is notoriously untrue, for Tuleday was heard at the bar of the house of commons,, and Tew was heard at the committee as long as he would speak, until he refused to answer any more questions, saying, He was not bound to accuse himself.'—In the last place, where Mr. Glynn is charged 'to have 'committed Tew to Newgate, for no other 'cause but for having a Petition about him, 'which was to be presented to the house,' Mr. Glynn doth answer, That being Recorder of London, and in the commission of the peace, he knows it not to be a crime to send such persons to the goal, as be brought before him for misdemeanors, and may have committed Tew, as he hath done many others; but he doth believe it to be a mistake in the accusers, not remembring any such thing, and doth boldly affirm, That if he did commit him, it was not for the cause laid down in the Article, but upon just grounds of law.

To the sixth Article, touching 'the Imprisonment of ensign Nichols by sir Wm. Waller, sir J. Clotworthy, and major-gen. Massey, they answer, That they, being, by Instructions of the 9th of April, 1647, from the committee at Derby-House, for the affairs of Ireland, authorized to draw off from the rest of the army such as should accept of the service of Ireland, and quarter them in such places as they should think fit, upon the engagements of divers officers of col. Lilburne's regiment to go for Ireland, they gave orders to lieut. col. Kempson to march with such soldiers of that regiment as should engage for Ireland, to Evesham; and the soldiers so engaging separated from the army; and, on their march towards Evesham, they, on the 24th of April 1647, at Saffron-Walden, after the general's departure towards London, having received several informations that ensign Nichols (ensign to capt. Dormer, one of the captains of the said regiment) repaired into the quarters of those forces drawn off from the army, in order to the service of Ireland, there dissuading the soldiers to go for Ireland; encouraging them mutinously to demand their pay of the said capt. Dormer, and then, by falsehoods and cunning practices, endeavouring to entice them back to the army; undervaluing those that went for Ireland, and incensing them against the Propositions of parliament for that service; and also reading to the said soldiers the Petition of the Army, after the same was then lately prohibited by both houses of parliament; and being certified that, for those miscarriages, the said capt. Dormer had secured his person till further order, the lords and commons, who were commissioners, did thereupon, on the said 24th of April, give directions to lieut. col. Kempson to take order that the said ensign Nichols should be sent up to London, with the first opportunity, to be disposed of by the committee of lords and commons for the affairs of Ireland at Derby-House, which was accordingly done; and, upon the report of the business, the said ensign was committed by order of the house of commons, and the persons that brought him rewarded for their service therein: in all which proceedings they know of nothing done, but what their duty and instructions, in relation to the service of Ireland, required at their hands, being contrary neither to the laws of the land nor articles of war; but conceive, upon these informations, (ready to be produced and testified upon oath) that the said ensign, according to the martial law, for his said offences

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deserved death for endeavouring a mutiny as abovesaid: and therefore there is no cause for the army to complain, in that the house was so merciful to him as to remit that punishment. Whereas it is charged, 'That the pockets of 'ensign Nichols were searched, and divers Pa-'pers taken from him; and that he was sent 'a prisoner to London from the head-quarters, 'without the authority or privity of the gene-'ral,' they say, That no order was given by them for searching his pockets, or taking away his papers; and believe no such thing was done: that he was secured by capt. Dormer, being found in the quarters of those forces that were drawn off for Ireland, actually endeavouring to put the soldiers into a distemper, and so to withdraw them from that service; and was sent from those quarters (not the head-quarters, as is falsly suggested) to London. And for the privity or authority of the General, if he had been then present, they conceive their authority from the parliament, on that behalf, was sufficient without the general's; and, as the case stood, they thought it not reasonable to consult the army in the matter of disturbing the Irish service, when they had there found so little encouragement before.

To the seventh Article, sir Wm. Waller, sir J. Clotworthy, and col. Harley, say, They are very sensible the particulars charged in the seventh Article do specially relate to things said or done in the house of commons; and so not liable to any censure, having passed the approbation of that house, which hath already acquitted them, by their Votes of the 25th of June, from all things done and spoken by them in the house, contained in this and the three ensuing Articles; and so ought not to have been recited in this Charge; yet, to vindicate themselves from the scandal of design and combination against the Army, they shall give this true account of what induced them to endeavour the suppressing of that Petition:—Sir Wm. Waller and sir J. Clotworthy, being commissioners of parliament with the army for the service of Ireland, and col. Harley being there to attend the same service, March 22, 1646, at a convention of officers for the service of Ireland at Walden, the Petition was produced, as the Petition of the Soldiers, to be approved by the officers there; and was pressed with such eagerness, that an officer of quality offering some reasons against it, was told, He deserved not to live in an army; they taking notice of the subtle and violent managing of that Petition, pretended to be the petition of the soldiers, but in truth framed then, as they can prove, by some officers at Walden, at a time when the parliament only proposed the service of Ireland, and the soldiery had neither disposition nor cause to petition; the army being well paid for several months then past, especially the foot, consisting much of recruits, had little cause to complain for pay; thereupon they represented this information to the general, as that which required his care to suppress timely. But after they returned to London, they received several informations, of which they have good proof, that the Petition was agitated in several regiments, and proposed by the officers to their soldiers: that some officers threatened that those who did refuse to subscribe it should be cashiered; and directions were given to return the subscriptions to some principal officers at the head-quarters. What passed in the house of commons, they presume not to relate without the leave of the house; but by these particulars, which are ready to be attested by persons of worth, the design of raising jealousies between the parliament and army, will really be fixed upon those who have falsely imposed it on the accused Members, to carry on their own designs, which are since more visible.

To the eighth Article, whereas col. Harley is charged, 'That, by combination, he pro-'duced to this house a Letter which could not 'be made good,' he affirms, He did acquaint the house with a Letter received as he was coming to the house, and sent to him from an officer of worth in the Army, who was and is ready to justify the substance of the Letter to be most true, That lieut. col. Pride* drew col. Harley's regiment to a rendezvous, read the Petition in the head of his company, and that the petition was then subscribed by most of the regiment; and that lieut col. Pride said, 'Such as would not subscribe the Petition 'should be cashiered:'† That in this colonel Harley did nothing but his duty, and what the house of commons approved by their public thanks to him and another worthy member, an officer of the army, who produced another letter concerning the same business.—For that which is laid to Mr. Hollis's charge in this Article, concerning the drawing of that Declaration, he answers, That it was done in the house; and the house did allow of, pass it, and afterwards sent it up to the house of peers, where it was likewise past; and that any should question it, being become and made the act of both houses, and so a Charge rather against them than himself, seems strange unto him, whose part in it was only to draw up that Declaration according to the sense of the house, in obedience to a general call upon him for it, being exceedingly pressed and urged to do it, when himself was very unwilling to take that task upon him.

To the ninth Article, wherein it is said, 'That col. Harley, sir J. Clotworthy, sir Wm. 'Waller, and the said other persons, did pro-'cure divers eminent and faithful officers of 'the army, viz. lieut. gen. Hammond, colonel 'Lilburne, lieut. col. Pride, and others, to be 'sent for to appear at the bar of the house, 'against whom they could charge nothing at 'all; insomuch that the house thought fit im-'mediately to discharge them,' it is answered,

* Afterwards made a colonel. † 'This is Liberty of Conscience so much professed and contested for by the Army.' Notes in the original.

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That the said col. Harley, sir J. Clotworthy, and sir Wm. Waller, having been informed that those who stile themselves such eminent and faithful persons of the army, with some others, being very active in promoting the Petition mentioned in the former Articles, did, in discharge of their duty, faithfully represent to the house what they had heard; and whilst the house was in consideration thereof, divers letters were brought to several members of the house, from several parts of the kingdom, declaring the apprehension which many faithful officers of the army had taken up, if such a Petition should be permitted to go on; as, particularly, a Letter of the 28th of March last, directed to colonel Rossiter, an eminent member of the army; wherein it is desired, by such as promoted this petition, that the names of such officers and soldiers as subscribed the Petition should be sent to colonel Hammond, lieut. gen. Hammond, commissary-gen. Ireton, col. Lilburne, lieut. col. Grimes, or any three of them. On the consideration of what was mentioned in this and other letters, in confirmation of what was formerly presented by the gentlemen articled against, the house of commons did send for several of the persons before-mentioned; and, as is conceived, had very good reason so to do.—And whereas it is said, 'That a committee was appointed to examine 'the truth or falsehood of them.' If by the truth or falsehood of them is meant, the truth or falsehood of the persons stiled divers eminent and faithful Officers of the Army, then how could they be said to be immediately discharged as such, against whom nothing could be charged or proved at all?—The gentlemen articled against do further say, That it is a very ill use that is made of the parliament's indulgence, not to proceed with such severity against those persons convented before them, as aforesaid, as to affirm, That, therefore, nothing can be said against them: the like ill use was formerly made of the parliament's so far condescending to the desires of another paper, said to come from the Army, concerning the obliterating of the Declaration relating to the Petition; both which expressions might well, in modesty and duty, have been spared.—And whereas this Article is stuffed with great swelling words of vanity, as though the gentlemen charged by this Article were pressed to produce their proofs and evidence, if they had any, before the committee; it is answered, That the persons brought up to the bar were, by their own confession in this Article, immediately discharged. What need then was there, or to what purpose was it, to bring any such proofs against them, when as the clemency of the house discharged them?—In a word: It is most demonstrable it was the parliament's indulgence, not the innocency of several, if not all, of those who were questioned, which brought them off from punishment; and it were to be wished, in regard of these and their subsequent proceedings, that some proportion of meekness and ingenuity towards the houses, did accompany so much professed integrity, as is vaunted of by the framers of this Article and Pamphlet.

To the tenth Article, which charges Mr. Hollis, sir P. Stapylton, sir Wm. Lewis, Sir Wm. Waller, sir J. Clotworthy, and major-general Massey, 'to have been instruments in 'obstructing the Relief of Ireland;' and then relates some passages of theirs in the house, (which could not be discovered to the army by any but members, contrary to their oath and duty, an high violation of the houses privileges) they say, That they have faithfully, cordially, and industriously, at all times, and upon all occasions, to the best of their understandings, promoted the service of that poor bleeding kingdom; that they did desire supplies might have gone in an intire body out of the army, and that as speedily as possibly could be; so as some of them took the boldness to move, That sir Thomas Fairfax might have been sent thither; which not succeeding, yet the house resolving 8 regiments of foot, 4 of horse, and 1 of dragoons should be sent out of the Army, they, as zealously as they could, endeavoured the putting of it in execution, and attended the committee to which it was referred, constantly and diligently: and they doubt not but the great God, who will not be mocked, will judge them according to their deserts who have obstructed it, by discountenancing and affronting them who offered to embrace that service at the Convention of Officers, March 22, 1646,* by cashiering, assaulting, and turning out of their quarters such as declared their readiness for that service, under the ignominious notion of Deserters of the Army, and as men untrue to the common interest of the soldiers; and by a positive Declaration, 'That whatsoever 'faithful commander should be appointed for 'the service of Ireland, they must shew them-'selves averse to that service,' as is expressed in a Letter of the Agitators to lieut gen. Cromwell, dated April 30, 1647. And, in truth, col. Robert Hammond's high and unreasonable Propositions concerning the present service of Ireland, viz. 'That the time of his employ-'ment, and those of this army going with him 'in this service, exceed not 2 or 3 months at 'the furthest; that the forces going over with 'him be not obliged to any other service what-'soever, more than the possessing or defending 'of Dublin; that col. Hammond himself may 'have the command of the garrison of Dublin, 'and all the forces in it, during the said term; 'that shipping be ready in the harbour of Dub-'lin, victualled at the parliament's charge, with 'sufficient convoy, 14 days before the expiration 'of the said term, to transport the said forces 'back again for England, &c. and that upon 'other terms than these he doubts the number 'would not be considerable that would go over

* See a Vindication of 107 Officers that are come off from the Army, and the printed Petition of the Officers to sir Thomas Fairfax. Notes in the Original.

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'for that space,' clearly demonstrates his and the army's strange averseness to Ireland's relief; and that all they aimed at was but to possess themselves of Dublin for the present, for what ends, themselves and their proceedings since can best discover.—The informations which they gave into the house, concerning the engagement of divers officers both of horse and foot for the relief of Ireland, they avow to be true; but are extremely misrepresented in this Article: For whereas it is falsely suggested, 'That they informed the house that, by 'their procurement, there were 50 companies of 'foot and 10 troops of horse of the army 'ingaged for that service upon the terms pro-'pounded by the parliament; the truth is, That divers officers of horse, relating to so many troops, and some of the officers of about 50 companies of foot were, by subscription, personal promise, or assurance from others, really and truly ingaged, as may appear by the report made unto the house, unto which they refer themselves; but afterwards many were drawn off again by the artifice of those, who, though they pretended Ireland's relief, have their ends rather upon the confusion of England than the relief of Ireland, as their proceedings do manifest.—Concerning the Subscriptions of col. Butler, lieut. col. Jackson, major Gooday, and others, for that service, supposed to be procured in delusion of the parliament, to mislead it into a vain imagination of a strength out of the army, which had nothing of reality in it, in regard those officers did then declare their unwillingness to go into Ireland upon any terms whatsoever; truly we conceive that Declaration from the Officers, bearing date the 22nd of March, will sufficiently clear both from any dishonourable combination; wherein it will appear that they obliged themselves no further, than either to ingage in their own persons, or to improve their interests in their respective commands, for that service; which last obligation they have made good like men of honour.—As for those Officers of col. Butler's and sir Hardress Waller's regiments; their names might be given in by those who knew, or might justly suppose, that their inclinations led them to embrace that service; if their friends were mistaken in them, or their minds since altered, we know not what crime can be imputed to any. Lieut. col. Farrington was never presented by them to the house as a lieut. col. of the Army, and ingaging for himself and his regiment for Ireland; but only as a gentleman that had formerly held the quality of lieut. col. and yet did retain a very great and deserved interest in that regiment, and with whom they conceived the regiment would be very willing to engage.

To the eleventh Article, which charges sir P. Stapylton, Mr. Hollis, sir J. Clotworthy, sir Wm. Lewis, major gen. Massey, sir Wm. Waller, and Mr. Glynn, 'with commanding part 'of 3 regiments, advanced for Ireland from 'Bromsgrove in Worcestershire, back to Read-'ing, with an evil intent to draw forces together 'for a new war, and this being done upon the 'Sabbath-Day;' they answer, That, out of their zeal to promote the service for Ireland, they met at all times when they were summoned at Derby-House, where the council sat early and late; and some times on the Sabbath-Day, being in truth a work of the greatest piety and mercy; which certainly was not for their ease, and they hope rather a merit, than to be reputed a crime; That that business was transacted at a full committee, whether upon the Sabbath-Day or no they know not; but they know, and affirm, that the reason why those regiments were ordered to come to Reading, was only that money might be sent to them for their pay; the officers representing to the committee the great necessities of the soldiers, and that where they were then quartered in Worcestershire, they did not know how to convey it thither with safety, in regard it must pass through the quarters of the army, who had expressed great displeasure to those forces which were drawn off for Ireland; and the committee was the rather induced to it, because they knew the money which was sent to Oxford, for disbanding a regiment there quartered, when, upon their refusal to disband, it was ordered to be brought back, was violently taken away by the soldiers from those intrusted with that service; and the committee feared some such attempt for the intercepting of this money, which occasioned that calling back to Reading; and not any such design as is, most falsely and maliciously, in the Article suggested.

To the twelfth Article, wherein sir J. Clotworthy is said to 'to have converted several 'great sums of Money to his own particular 'use in the years 1642, 1643, 1644, and since; 'which, by several orders of parliament, and 'of the Irish committee, were designed for the 'Relief of Ireland;' first, he answereth, That he never received any money from the beginning of the war until this day for the Relief of Ireland in general; but only for the particular charge he hath in that kingdom, wherewith he was honoured in the beginning of the war by a special order of parliament.—And for the particular sums in that Article suggested to be received by him in money, he saith, That he never received any such money, and was so far from making any particular use of such, either money or provisions, as were designed for supporting the soldiers under his care, to their prejudice in the least degree, that he hath disbursed above 3000*l.* out of his own purse, and by his credit, for their support and relief, more than was received.—He further saith, That for the sum of 280*l.* in the Article mentioned, by an account delivered to the committee of Accounts in June 1644, he was so far from intending the least prejudice, either to the state here, or that kingdom of Ireland, that, amongst other sums, he charged himself with the said 280*l.* for 20 buts of sack, which he should have received from one Whitscot; who failing therein, the said sir John converted the credit of the ordinance for the

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said 280*l.* into cloaths for his soldiers, as, upon full examination and debate several years since had thereof, before the committee of accounts, may appear.—And by the said Account he is likewise charged with 300*l.* in the Article mentioned for 120 pair of pistols, the most whereof he exchanged, by order, out of the stores of this kingdom for firelocks, which he sent over to the soldiers of his regiment, and the remainder of the said pistols were delivered to his troop; and he never converted any of the said pistols to his own use, though he conceives he might have done, having given allowance for them on his account: and for the money for the said pistols, as no part thereof ever came to his hands, so he conceives the same is yet due and unpaid to one Abraham Vandenbeind, who provided the said pistols on the credit of the state.—For the sum of 700*l.* for 2000 swords; he knoweth nothing thereof, nor ever received any such sum; but acknowledgeth that he is charged by his said account with 175*l.* for his part of 2000 swords; which, as the former sum of 280*l.* hath been laid out, with much more of his own, for the service of the state; so as the said sir J. Clotworthy having prevented the informers by his account long since given in, and there remaining so great a sum disbursed by him, over and above what he hath received; had he detained any part towards his own disbursements, which he conceives he might justly have done, yet could it not have been charged against him for so heinous a crime, and that in prosecution of the design in the general charge mentioned, as is impertinently laid down in the said Article.—And for the other divers sums of money, suggested in general to have been received, from time to time, by the said sir John for the use of Ireland, which are alledged not to be employed as by the several orders was directed and intended; when he knows the particulars, he hopes to give a satisfactory Answer therein; and wishes that some few of his many accusers may be able to give as just an account for the many sums they have received, in relation to their employments, as he hath done, and is ready to do, for those few sums directed for his and his soldiers support in that hard war of Ireland.—And whereas, by this Article, it is suggested, 'That the said sir J. Clotworthy 'hath, within two years last past, received 'several sums of Money, arms, and other pro-'visions, for a troop of horse, which he pre-'tended he had raised in Ireland;' he saith, That he never pretended to have raised any such troop, though he may, with some confidence, affirm, he hath, to his great charge, these 5 years past, maintained a troop of horse which was formerly under the command of capt. Upton, deceased, and after his death conferred on him; which troop he hath often recruited since his command thereof, being about 5 years space, during which time there was never received from the state, in money, above 7 weeks pay, with some little provisions of cloaths and arms, which he duly returned to the said troop, with some addition of his own, for their better support in service; judging it a most abominable act to detain any thing at all, especially of so little, designed for such necessitous soldiers.—And whereas, by the latter part of the Article, it is most scandalously suggested, 'That the said sir J. 'Clotworthy, for Money and other rewards, 'hath preferred John Davis and Wm. Som-'mers, and others, to be intrusted with the 'Irish affairs, who have kept correspondency 'with the enemy, and defrauded the state of 'other great sums of Money; and that he hath 'been privy to, and a sharer in such their 'actions,' he saith, That the said Charge is most false and untrue in all the parts thereof wherein he is concerned: and for the said Wm. Sommers, he saith, He never preferred him to be intrusted with any of the Irish affairs, nor knoweth of any employment he ever had in that way; it being notoriously known he never had such employment since the rebellion of Ireland began; so as he was not in any capacity to defraud the state.—The said sir John further saith, That John Davis hath been contracted withal for great proportions of victuals, arms, and cloaths for Ireland, as a merchant; wherein the committee of both kingdoms, and the committee for the affairs of Ireland, the consent of the houses first had, have dealt with him after others refused such contracts, as he then accepted, and since performed; to most of which the said sir John was not privy, and no participant at all with the said John Davis in any of the particulars contracted for, as is now, and hath been formerly, in printed pamphlets falsly suggested; but that the said John Davis was ever trusted with the Affairs of Ireland other than as a merchant, (whereby he had the opportunity, in performance of his contracts with the state, to lay out his own money by great sums, and get it again as he can, whereof there may be now some doubt) the said sir John is totally ignorant.

To the thirteenth Article, wherein, among other things, 'secret intelligence to have been 'held with the lord of Ormond, by cyphers, is 'laid to the Charge of the said sir J. Clot-'worthy,' his Answer is, That he, together with sir Tho. Wharton, sir Rob. King, sir Rob. Meredith, and Rd. Salway, esq. or any three of them, being appointed commissioners, but not jointly as is pretended, to treat with the lord of Ormond, for the delivery of the sword, &c. of the city of Dublin; after four days treaty, according to their Instructions, the treaty not taking effect, the commissioners resolved, That three of them should go for Belfast, and two of them come to London: and whilst the commissioners were in preparation for their departure, upon several just and warrantable occasions, they repaired jointly and severally to the lord of Ormond, who seemed to be much troubled that the treaty took no effect; professing the only cause thereof to be the want of the king's assent

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which he said he hoped to gain; desiring to have it so presented to the parliament, and that he might acquaint the parliament, and the commissioners then going for Belfast, with the king's Answer; and, lest letters should be intercepted by the rebels, there was a cypher agreed on, which was known to several of the commissioners when it was delivered, and of which the said sir John minded the other commissioners at Belfast after their arrival there, and before any thing was written by the same from the lord of Ormond; and, about a fortnight afterwards, the lord of Ormond, by the means of one capt. Ward, conveyed a little open Paper in cypher, directed to the said sir J. Clotworthy; who, as soon as he received it, did communicate the same to the rest of the commissioners; which being decyphered, there was thereby intimated, That he was more than hopeful they should shortly hear from him to their content; to which the commissioners returned an answer, That they should be glad to hear of the content he was hopeful to give: with all which, and the other transactions of that affair, the committee of Derby-House were made acquainted, and reported the same to both houses before sir John Clotworthy came out of Ireland; and the houses, having approved of the carriage and endeavours of the commissioners upon the whole transaction of the business, have long since so far owned them therein, that they have given thanks unto them for the same.—This being the only particular wherein the said sir John is, by this Article, charged to have held intelligence with the lord of Ormond; and that being by the advice of the rest of the commissioners, in manner as aforesaid, and for so good an end, as the giving his lordship an opportunity of new application to the parliament for rendering to them the city of Dublin and the other garrisons under his command; which hath, since that time, taken effect accordingly, to the exceeding great advantage and strengthening of this kingdom's interest in Ireland; the said sir John leaves it to the judgment of all equal minded men, whether or no there be any just cause to exhibit such a Charge against him for the same, especially by an Army pretending such good affections to Ireland's welfare.—For the other part of the said Article, 'concerning the said sir J. Clotworthy's holding intelligence with the lord Digby;' he directly denieth any such thing, as being utterly false and untrue; for he never saw the said lord Digby these many years, but one night accidentally, when being last at Dublin with the other commissioners aforesaid, he was sent to the Castle of Dublin, by the said commissioners, concerning an officer of col. Moore's, that had received an injury by some persons that related to the lord of Ormond; at which time the said lord Digby came into the room where he was, but he had no discourse with him in private, nor at all, other than common talk, several persons being present: neither hath the said sir John, since the said lord Digby deserted the parliament, ever exchanged letter, message, or word with him, directly or indirectly, otherwise, or at any other time, than is hereby declared.—And whereas, by this Article, it is charged, 'That, in order to such secret intelligence,' (of which he admires a whole Army residing in England should have such certain and public notice, as to make it a positive Charge, and undertake to prove it upon oath, were it so secret as they charge it, as the Article alledgeth to have been held by the said sir John with the said lord Digby,) 'the 'lord of Ormond and the said lord Digby 'lately employed one Slingsby, who,' as the Article saith, 'pretends a design about the 'Prince, to come into this kingdom;' the said sir John utterly denieth to have had any thought of any such design, or any knowledge of the said Slingsby, or of his coming into the kingdom, until he heard that one Slingsby, whom he yet knoweth not, had been examined before the committee at Derby-House. And the said sir John presumeth he hath, to the said committee, confessed who employed him, and to whom he was employed here.

To the fourteenth Article, which charges sir J. Clotworthy, Mr. Hollis, and sir P. Stapylton, 'with obstructing Articles exhibited against the 'lord Inchiquin; calling back the lord Lisle 'from the government of Ireland; causing 'the command of the forces in that kingdom to 'be committed to the lord Inchiquin, he writing a Letter to his lordship, upon the receipt 'whereof he should express he had direction 'to put out all those who favoured Independents;' they do say they were so far from keeping off any proceedings upon those Articles, that they furthered it all they could, and several times moved it in the house; being desirous to have all cleared concerning the lord Inchiquin, whom, as they believed to be a man of honour and fidelity, so if, upon examination of his actions, he appeared to be other, they were resolved to declare their sense of him accordingly.—As for what concerns the lord Lisle, they say, His lordship's time expiring, which was but for one year, either for himself or any one else to continue in that command, the parliament was pleased to dispose of the affairs of Ireland in another way; in the agitation whereof in the house they went according to their judgments and consciences, without respecting any person living.—For the Command of the Forces of that kingdom which, as to the lord Inchiquin, can only be understood of Munster, they do not know that ever any thing was here done in it at all, there having been no occasion for it, as to their knowledge: and as for the Letter mentioned to have been written by them, or any of them, or from some other person by their, or all of their, direction, they say, As it is altogether uncertain and illegal, so it is a mere fiction, (for they never did any such thing) and tends to draw the odium of Independents upon them; to worse advancement, both in Ireland and elsewhere, they fear they

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may prove obstructive, as this article clearly insinuates.

To the fifteenth Article, sir W. Lewis and Mr. Glynn say, That the Order of the 30th of April, in the Article mentioned, (if there were any such) relates to them only as members of the committee, for whom they intend not to answer: But in truth there was no such order; it was only a report, not an order, and intended only for the county of Caermarthen, however it came to pass the words were general; and that was done in order to be reported to the house, and accordingly was reported, and after repealed by the committee, as they were informed. And as for the publishing and sending thereof unto every committee in Wales, they know nothing thereof; neither was it done by their, or either of their, directions or consents.

To the sixteenth Article, sir W. Lewis denieth his protecting any Delinquents in South-Wales, as is untruly alledged. And as for the earl of Carbery; he did no more than move in the house of commons to make good what major-general Laugharn had promised and pressed for on his behalf, by his Letters to the Speaker and committee of both kingdoms; representing the advantages that came to the parliament by his conformity, and how it would further their service to oblige him.—For Mr. Carew of Glamorgan and Mr. Herbert of Brecknockshire; after their long imprisonment, they being upon their compositions at Goldsmiths-Hall, he did but move the ascertaining of their fines according to the rules prescribed to the committee there; having observed that delays brought a prejudice both to the parliament and the parties sequestered, by abusing the one in their authority, the other in their estates. And for Mr. Herbert; after his sight of some high Articles drawn up against him by Mr. Rumsey, he never spake in his behalf, and he yet continues a prisoner in Ely-house. For Mr. Morgan of Brecknockshire; he is one the said sir William hath ever used with no more than a civility suitable to their being countrymen, and of many years acquaintance; which he believes no good man can look on as an offence. For Mr. Gwyn and Mr. Lewis of Radnorshire, two of the committee in that county, and those that, by major-gen. Laugharn's certificate and col. Birch's public testimony, had furthered the reducing of that county; he did but publicly move in the house that some disputes concerning them, and some differences between them and others of the committee for that county, might be referred to the committee for Gloucester, sitting in Channel-Row; which he did out of his desire to serve the parliament, by keeping peace in those remote parts, and for no ends at all of his own.—And further saith, He was never so much as present at any debate concerning the Sequestration of any other person whatever in either of the fore-mentioned counties, save those above-named; nor ever so much as motioned to any member of either house, committee-man or other, either the remitting or favourable compounding with any, upon any terms not warrantable by the rules prescribed, or their compounding with any that were incapable thereof; nor ever did animate or encourage any, since this unhappy difference, to continue their fidelity to the king's cause, by promising them, that if they would engage their friends with the king for him, he and his would be their friends in the parliament, as untruly suggested: looking upon that kind of conditioning as a thing below the thoughts of a gentleman.—What the Delinquents in those parts say of him, or how they look upon him, or how they or any others look upon those that charge him, or what shall be his or their lot at his majesty's coming to London, he is ignorant of; but hopes that a little time will discover both him and them in their true colours; and wisheth every man's return may be according to the singleness and integrity of his affections to the public peace and welfare of the kingdom.—And farther he saith, That there being an Order for the nomination of Justices of the Peace for the county of Brecknock, he humbly named Mr. Roger Vaughan, now high sheriff of that county, to be added to the committee formerly named by the house; also Mr. Meredith Lewis, Mr. George Parrey, and Mr. Edw. Williams, as the fittest persons he knew of to supply the necessity there was of justices in that county: and although he cannot say that when the king's forces had a power in those parts, but that many of them may have done that which is not justifiable; yet for his brother Mr. Tho. Lewis, who was formerly one of the committee, he is confident his innocency is equal with any man's in that county, and his sufferings as great as any of double his fortune inhabiting there; he having been carried prisoner, by sir Wm. Vaughan's command, to Ludlow-Castle, with one Mr. Hugh Williams, where they continued till he laid down eight score pounds for their enlargement; and he can confidently affirm that no man is left out of commission, that any honest man can pretend, either by his estate or affections to the parliament, to deserve to be therein employed; and he could heartily wish that he or they that gave information on this Article, would have advised who else should have been recommended for committee-men or justices. And for Mr. Edw. Williams being made solicitor; his commission was delivered upon certificate from three of the four gentlemen who are the only persons resident in the county of those that are named for the committee there; and he believes he hath been so careful in his duty, that neither corruption nor remissness can be justly charged or proved against him.—And the said sir William saith, That his son was chosen burgess for the borough of Brecknock by the unanimous assent of the burgesses, who adjudged him a fit person to serve for them; and his fitness for that place he desires may be determined of by those amongst whom he hath the honour to sit, who have seen his de-

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meanor, and are the only proper judges thereof; but that he kept the writ 8 months in his custody, in order thereto, is most untrue; for at his being in Brecknockshire in July 1646, having carried the writ down with him; and finding, at Ragland, that Worcester was then but upon delivery to the parliament, and that the commissioners of peace for that county were those that continued in their authority by their old commission, he thought it then no fit time for a public meeting in that town upon such an occasion, lest some ill consequence might have followed thereon; and thereupon, at his return, acquainted Mr. Prideaux, one of the then commissioners for the great seal, therewith; and, with his approbation, returned the writ to Mr. Scobel, the register, in whose custody it continued till he called for it again some five weeks before the election.

To the seventeenth Article the said sir Wm. Lewis acknowledgth that, by the ever-honourable the earl of Essex's commission, and the approbation of both houses of parliament, he was, in the beginning of these troubles, made governor of Portsmouth; though not only without his desire but against it, as it is well known to sir John Evelyn of Wilts, a member of the honourable house of commons: That during his service there he received much of the public treasure, for which he gave such an account, as that he had his discharge from the committee for accounts, bearing date the 15th of March, 1644: and the said committee, coming to the house of commons with their certificates of that Account and others, did there publickly attest it to be both just and frugal; whereupon the house was so favourable as to vote, on the 3rd of April, 1645, their approbation of his Account so presented unto them, and to order 'That the Committee of the 'Revenue should, with their soonest and best 'conveniency, pay unto him the sum of 415*l.* '16*s.* 8*d.* part of what remained due unto him 'upon his said Account,' as appeared by the certificates above-mentioned; which evidently disproves that part of the Charge, which doth most unjustly accuse him for not accounting, of which he believes his greatest accusers are far more guilty than himself, since he never heard of any certificate made to the house of their accounts. And whereas he is likewise charged, while he was Governor there, 'frequently to have held correspon-'dency and intelligence with the king's party, 'about the delivery up of the said garrison:' some such aspersions having been very undeservedly raised on him, during his command there, the committee of lords and commons for the safety of the kingdom were pleased to write to him to come up to London, by their letter dated the 8th of June, 1643; where the said sir William pressing, by his importunity, the said committee and earl of Essex that they would examine whatever could be alledged against him, to punish him if faulty, and right him if injured; upon the earl of Essex's Letter to the said committee, after a full examination of the business, the committee, by their letter, gave his lordship this Account following:

'Westminster, July 29, 1643.

'May it please your excellency; We have 'examined and debated the business concern-'ing sir Wm. Lewis, as your lordship did de-'sire; and out of all those jealousies and 'allegations which have been offered against 'him, there amounts nothing, as we can ga-'ther, which can derogate from his honour, or 'the public confidence reposed in him in his 'command at Portsmouth. This account we 'render to your excellency, as well to answer 'that which hath been referred to us by your 'excellency's Letter, as that which is required 'from us by sir Wm. Lewis's innocency. This 'being the state of this business, it is left in 'the hands of your excellency to repair this 'worthy gentleman in what manner you shall 'please; and so we take our leave, and rest, '&c. Bedford, Pembroke and Montgomery, 'B. Denbigh, W. Say and Sele, Jo. Pym.'

The which Letter being carried to his excellency, after his perusal thereof, he wished the said sir Wm. Lewis to repair again to Portsmouth, and to take care thereof; but he having vindicated his innocency, and to manifest how little he regarded either places of honour or gain, (which others aspire to) desired to be excused, and quitted the employment.—Why, or upon what grounds, the said sir William, with divers other persons who faithfully served the parliament, was left out of the Proclamation mentioned, he knoweth not, being no ways privy to their councils, nor what his majesty was pleased to say of him; but this he knoweth, and 'tis generally known to that part of Hampshire where he lived, that, about October, 1643, there was plundered from him by the king's party to the value of between 2 and 3000*l.* by means whereof, his lands being unstocked, he made not 3 pence of them in 3 years. For his estate in Brecknockshire, which by the charge, is allowed to be worth about 600*l.* per annum, it was not held worth sequestering in those parts, in regard of the taxes laid upon it; and during the time of the troubles he made little profit of his estate there or elsewhere.—And as it is no argument that some malignants in arms against the parliament did hold correspondency with them, because their estates in some places have not been yet sequestered, through negligence of the officers, or want of evidence; so he presumes it can be no proof of his complying with the king or his party, in the judgment of any indifferent person, or of his accusers (who now profess their correspondency with his majesty without the houses privity, in their late printed Letter, of July 8, 1647,* to both houses) because he was not sequestered upon the same or any such like occasion; which, for ought he knows, may be the case of some other well-

* See p. 679.

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affected members.—As concerning col. Price's Estate; upon the sad complaint of Mrs. Price of her necessities, he wrote a Letter to the committee only to allow unto her the fifth part of her husband's estate, according to the ordinance of parliament in that behalf, and to restore her wearing apparel which had been taken from her, (an extremity he had not heard of before used to any other) which he hopes his accusers, who now desire justice for, and indulgence towards, delinquents, which they charge as a crime in others, cannot dislike: but for the letting of col. Price's estate, he did not intermeddle therein; but believes the tenant that rents it at 50*l.* per annum pays a full value for it to the state, considering it is charged with annuities of 120*l.* per annum issuing out of it, his wife's fifth part, and all taxes and contributions.

The said Mr. Glynn, as to the Charge in the sixteenth Article, whereby he is charged 'To 'procure several persons that have been com-'missioners of array in North Wales, to be 'named in commissions of peace, and other 'places of greater trust and command,' saith, The Article gives not any instance of any such person that he hath procured to be named a justice of peace, or any other place of trust or command, except colonel Glynn, his brother, made governor of the town and castle of Caernarvon. And for the said col. Glynn, he avers he was never any colonel in the king's army, but constantly declared his affection to the parliament; and for that cause he was, in the beginning of the troubles, besieged in his own house, with cannon planted against it; where he was taken prisoner, his arms seized upon, himself charged with treason, and intended to be proceeded against at Shrewsbury, had not some persons interposed and procured his enlargement, upon security that he should not bear arms for the parliament: and as he hath suffered for his affection to the parliament, so he hath advantageously acted for them, by inviting major-gen. Mitton to come into North-Wales; joining his forces with the said major-general, and relieving the parliament's forces with money; by reason whereof the county and castle of Caernarvon was reduced to the parliament's obedience, of whose eminent services the house of commons took special notice, in a Letter written unto him; and, for recompence of his sufferings for the parliament, and the great service done for them, he was made governor of Caernarvon, for the safety of those parts, and encouragement of the well-affected there.

To the eighteenth Article, whereby Mr. Glynn is charged 'To have taken Rewards of 'several persons for service done them in the 'house; and, in particular, 100*l.* paid unto 'his wife by the drovers of Wales, for service 'done them,' he saith, That the same is a false and slanderous Charge: and for the 100*l.* supposed to be given to his wife, who is dead and cannot answer for herself, the same is untrue; for Mr. Glynn lent those poor men 100*l.* out of his own money, to find them bread, which was afterwards repaid him, when they procured money upon the credit of the Excise, as will be justified by many persons of quality; besides which there was no other 100*l.* that came to his wife's hands.

To the nineteenth Article, Mr. Glynn answers, first, concerning Delinquents, That the Charge is general, and therefore he can make no particular Answer, but generally not guilty. Secondly, concerning the putting out of the Militia; That he was no way concerned in it; they were presented by the common-council, and chosen there when he was not present, and afterwards approved by both houses; and he cannot take upon him to give reasons to justify the acts of both houses or the common council, who are only impeached by this Charge, and must plead not guilty of intermeddling with putting in or putting out.

To the twentieth Article, where it is said, 'That sir P. Stapylton, Mr. Hollis, and sir 'Wm. Lewis, have, by their power and coun-'tenance, obstructed justice in the cause be-'tween aldreman Langham and capt. Limery, 'and that of J. Gunter;' they answer, That Mr. Hollis and sir P. Stapylton, being one afternoon in the court of Requests, heard that the house of peers were then to sit, which made them go to see what the occasion was; and, coming into the lobby, found there the earl of Rutland, who told them their house met about a great business betwixt Langham and Limery, and some discourse passed concerning it; when Mr. Hollis and sir P. Stapylton said, They understood that the merits of the cause was not at all in question, only the entertaining of it upon an appeal, which they conceived was the common justice of the kingdom, and not to be denied to any; which having said, they went away; nor was it done in secret, but spoken publickly, and in the hearing of some of the counsel for Limery: and they do utterly deny the speaking of any such words as are alledged to be said by them; for they were so far from engaging their interest in it, as they do not to this day know what the lords did upon it. And sir Wm. Lewis doth absolutely deny his being there present at all, when any such conference was with the earl of Rutland; and cannot but observe there should be that significancy attributed to his presence and gesture, as thereby to discover his thoughts and inclinations, especially when he was not there in person. And as for the cause instanced concerning John Gunter, he conceives it to be a suit depending in chancery betwixt the father and son, both nearly related to him, but no further proceeded in than to bill and answer, that he knows of; and what influence his countenance could have, so early days in the beginning of a suit, let all the world judge.

To the twenty-first Article, which concerns Mr. Nicholl only, he saith, That although his election was voted to be void by the committee of privileges, whose meer votes exclude no members from sitting in the house, where no

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witnesses were heard on his behalf; yet he conceives his election good, and hopes it will be thought so by the house, when they hear a true state of the cause. And whereas they object, it hath lain four years unreported; Mr. Nicholl appeals unto the house, and that worthy gentleman in whose hand that report lay, being never prosecuted by his competitor, whether he hath not endeavoured to have that report made, and the business determined: and still continues his humble request to the house for the speedy determining of the same. To the second clause Mr. Nicholl answers, That he never used any threats, menaces, or indirect practices, for the bringing in of any members, either out of Cornwall or any other country in the West: And it is well known that those worthy gentlemen there elected, and now excepted against, were fairly and duly chosen by their own interest and public demerits; and their unbiassed integrity is such, that they detest the maintaining of a faction, or carrying on of any design other than the common good. To the third clause of that Article Mr. Nicholl saith, That he continues in an office of Master of the Armory in the Tower, wherein he hath faithfully served the state for their advantage; and that since the Self-denying Ordinance passed the houses, he never received one penny of his fee from the Committee of Revenue; but confesseth to have received a rent of 34*l.* a year, or thereabouts, and a fine for two houses, which he is to be accountable for to the parliament: And it is well known that Mr. Nicholl lost a far better office, both for profit and esteem, than this, (the Customers Place of Plymouth and of all the ports in the county of Cornwall) for his fidelity to the parliament; and hath received no reparation for the same, as divers others have had for their lost offices. Besides, he hath been employed in many long and chargeable journeys, and hath expended divers great sums of money in them, which he hath borrowed of his friends; and hath yet had no satisfaction from the parliament in consideration thereof, as some of his accusers have had for meaner services.

To the twenty-second Article, Mr. Nicholl saith, That neither himself, nor any other for him, ever took one penny, directly or indirectly, for any thing done in parliament, or in any of their committees; wherein he hath had the honour to serve in some of the greatest Trust. And whereas he is charged to bring sir W. Uvedale into the house upon his coming from York, for the sum of 150*l.* it is altogether false and scandalous. Upon sir W. Uvedale's return from York, he came into the house, and sat there without any question; some time after, he had leave to retire himself into the country; and at his return to London, near two years after, the dispute grew about his admittance into the house; and he was admitted into it upon a solemn and serious debate, without the motion or procurement of Mr. Nicholl; which admission, if undue, is a charge against the whole house, not Mr. Nicholl. True it is, that when sir W. Uvedale was at York, and treasurer of the army there, Mr. Nicholl (having an assignment made him by his brother captain Humphry Nicholl, to receive an arrear due to him for his service in the north,) wrote to sir W. Uvedale to send him that money: whereupon sir W. Uvedale, when he came to London, sent him a sum of money as an arrear due to his brother; but whether so much as is specified in the Article, he knows not, by reason his papers and accounts of that business are not in town. As for Mr. Nicholl's receiving of Rewards; he challenges all his accusers, (many of them having had occasion to use his poor service) and all others, to prove him guilty of receiving the least reward for any thing done by him in discharging of his public Trust.—And whereas it is charged, That he discovered a Design for the searching of Greenwich-House; he saith, That about midnight, in August, as he takes it, 1642, there came an officer, with some soldiers, to his lodging, and brought with them a warrant for him to sign for the searching of Greenwich-House; which warrant he signed, and by the same officer, he sent three lines, written on an open paper, to a noble lady who lodged in the house, that she should not be frighted with the coming of soldiers in such an unseasonable hour; which lady was no servant of the Queen's, but one who had given a clear demonstration of her affection to the public, by a large voluntary contribution upon the Propositions of Money and Plate: So that he hopes this will not be thought a fault to send an open paper to a person of that quality, for such purpose, by the same officer that was to put the design in execution.

As to the 23d, 24th, and 25th Articles, which waste themselves in a scandal touching Mr. Long alone; for to a printed imputation of Cowardice, Covetousness, and Treachery, where no particular person appears to avouch the truth, or give satisfaction for the falsehood, of such an assertion, no better name can be given; yet he, to give the world a taste of what truth they may expect in the rest, returns unto these three this Answer, That howbeit his education had not much acquainted him with military employments before the late unhappy wars, which he thinketh to be the case of many who now reckon well of their abilities in that profession; yet (through the invitation of his excellency the late lord general the earl of Essex, and the committee for the safety of the kingdom, who thought it of some importance at that time to interest persons of estate and relations, tho' not bred soldiers, in that employment) he did accept the command of a troop of horse under his excellency, the greatest part whereof were raised by himself and his friends; and, in the head of that troop, he charged at Edge-Hill, in the regiment then under the command of sir William Balfour, which was the first that brake into the enemy; in which charge he lost his

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horse, and, being left dismounted, did yet, with his single pistol in his hand, give quarter to several of the enemy; and was then, by capt. Harcourt, quarter master of his troop, remounted; continued out the service of that day and the next, and was one of the last troops that brought away the ammunition; a thing haply not known to them who gave the information for this article, seeing it was the ill-hap of some commanders that day to make an over-hasty retreat: and of some others, of no little eminency now, never to come there; much less to charge, though they quartered very near the field.—When the unexpected skirmish at Brentford happened, his troop, as the greatest part of the army besides, was dispersed: but so soon as he could get it together, he went thither and stayed there till the business was at an end: shortly after, his troop being to march towards Bristol, where some of his fellow captains, whose experience he thought as little as his own, received sudden and great commands, he declined that service under them, and intended to return to his other in the house of commons; but some disaffections and backwardness to contribute to the public service appearing in some persons of quality in the county of Essex, he was, by commission from his excellency the earl of Essex, commanded thither, and authorized, with other gentlemen of that and the counties of Hertford and Bedford, to raise horse, arms, &c. upon such as had not contributed; touching which employment, without drawing the particulars into a long discourse, he saith, That he acted nothing without the concurrence of two gentlemen, at least, of his fellow-commissioners; and thereof, and of what had been raised by them for the public service under that authority, he, long before any committee of accounts was settled, did publish the particulars in print; and thereof did, immediately after that committee was settled, give and pass an account upon oath; which course had others taken, who have greater accounts than these, there would haply have been less room for this accusation: The plundering and oppression in the article mentioned, he reckons as odious as it is an untrue suggestion.—As for Mr. Thomas Manwood in the article mentioned; he much doubteth whether there be any such man residing in the county of Essex; sure he is that no protection from the then lord general's excellency was disrespected by him; and upon the best enquiry Mr. Long can make, the person intended by Mr. Thomas Manwood is no way eminent for his good affection: and what was done towards him was well warranted by the commission under which Mr. Long and those other gentlemen of that country were employed; and nothing, by countenance of that authority, was converted to Mr. Long's private advantage; And so little hath the humour of covetousness, with which the printed articles charge him, prevailed, that there will be nothing found in his accounts to be demanded for his colonel's pay; an omission of which he dares undertake to excuse them that are most willing to accuse him.—The Damages sustained by Mr. Long, (not pretended, but real) mentioned in the 24th article, to be the inducement of that favour conferred upon him by the chancery-office, were under-considerations; and, together with his four years imprisonment and sufferance for his public service in former parliaments, weighed by the wisdom of that house, and his capability to execute that place, (usually discharged by able deputies, as now it is) determined by that judgment which he dares not, and thinks no men or company without these walls ought, to dispute: And therefore to that quarrel, more against both houses than himself, he thinks himself not bound to give, and believes no wise honest Englishman will expect, or well receive, any other answer. This only he saith, That neither the eminency nor profit of the office can surely be the cause, that it only, of all the offices and benefits accepted from the parliament by other members, should be now subject to observation, and made a matter of charge.

In Answer to the twenty-fifth, and, perhaps, for the weight of it, the last Article in that printed Paper; he saith, That if any man hath, which is not known to him, seriously, or in scorn, used that scurrilous phrase of 'Parliament-Driver,' towards him, (by reason of his more than ordinary diligence in persuading and pressing his fellow members of the honourable house of commons, according to their trust and duty, to remain in that house or return to it, when any thing hath been in debate; which, in his apprehension and conscience, required their judgment, wisdom, and suffrage there) he is contented to own the fact, and leave the abuse to the author: Any unlawful carriage, in that particular, without the house, he doth deny; his demeanor within those walls, in that or aught else, no man without them ought to question or control, or he to give account of. And, for a close, he saith, That these his accusers, who have, against reason and justice, driven so many members out of the house at once, deserve the name of Parliament-Drivers, or Parliament-Riders, much more than he who desired only to continue the members within the house, according to his own and their duty.—To conclude: Upon the whole matter we do say, That it is our misfortune, not our misdoings, that we stand in this matter accused. Power may seize upon us and destroy us; but not justice, we mean the justice of man, for and in respect of these pretended crimes; not the justice of God, which we tremble at, and submit unto; and see it reach unto us, for our sins, this cup of persecution and affliction by the hands of men, the men of the world; who are themselves but the hand of God to correct his children for their good; their good in the end, though for the present it be grievous unto them; and befalls them many times occasionally, and in the eye of men, where they think themselves to be

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least deserving it, to make them examine themselves, and enquire where man cannot come, into their own hearts, to find out the true cause which hath provoked their God to afflict them; and so come to the knowledge of those evils and repent of them, which, otherwise, would have lain undiscovered, and, like a sleeping serpent, awaken afterwards to do them a greater mischief; which is at present our case, and we trust God will give us the grace to make this use of it: For certainly, upon the strictest scrutiny of our consciences, and enquiry into our past actions and intentions, we cannot find we have deserved this return from any that can pretend themselves to be well-wishers to the parliament and to the peace of the kingdom. We can speak it for a truth, we are of those who are peaceable and faithful in Israel: We never sought great things for ourselves: We have mourned for the desolations of this kingdom, of three kingdoms: We have endeavoured our utmost, according to our several talents, as it hath pleased God to enable us in our several places and callings, as members of the parliament, as members of the commonwealth, to do all we could, to procure a settlement in church and state; We have desired a peace; we have laboured for peace, and, willingly, have never done the least thing to keep it off: We have all of us taken the covenant; we dare not say that we have kept it to God-ward so well as we should: but we will say, no man can lay the breach of any part of it, as to the king, parliament, or kingdom, to our charge; nor, we hope, ever shall. Nothing in this world have we more heartily desired, than to see a happy and firm reconciliation between the king and his people; him on his throne, them in their liberties; both of them encompassed with righteousness and peace, and glorying in the parliament, as the foundation of both their happiness.—Yet how we are aspersed and misrepresented, by several pamphlets and papers concerning us, and by this printed charge, let the world judge. We dare appeal even to the consciences of our accusers, if they would speak out; perhaps with some it is in truth our crime, that they know us to be such as we are; perhaps we stand in the way, and prevent some destructive designs, therefore we must be removed; and that we may so be, we must be represented to be hinderers of peace, obstructors of justice, invaders of the liberty and freedom of the subject, abusers and misleaders of the parliament: In sum, whatsoever is amiss in the kingdom, we are made the cause, and must bear the blame of it.—Christianos ad ignem: What public calamity soever befell in the time of the primitive persecutions, the poor Christians were said to be the cause, and must be the expiatory sacrifice: But let men say what they will, Eliab was never the more the troubler of Israel, because he was so called.—We will say with Job, 'Our Witness is in Heaven, and our reward is on High.' This is our comfort and our confidence; we shall be acquitted before the tribunal of heaven: and we trust in the Divine Protection to have our deliverance and justification, even here upon earth, by the judgment of man; that is, by the justice of the parliament, notwithstanding the malice of all our enemies. DENZIL HOLLIS, PHILIP STAPYLTON, W. LEWIS, JOHN CLOTWORTHY, W. WALLER, JOHN MAYNARD, EDWARD MASSEY, JOHN GLYNN, WALTER LONG, EDWARD HARLEY, ANTHONY NICHOLL, Members of the Honourable House of Commons."

July 20. The commons having passed a Vote, on a division of 76 against 39, for putting all the Land Forces in England, Wales, and the Isles, under the immediate command of sir Tho. Fairfax, the lords this day agreed to it.

The Commons give Leave to the 11 impeached Members to be absent 6 Months.] This day the commons gave leave to each of the 11 Members, accused by the Army, to follow his own occasions; to as many as desired to go beyond the seas the Speaker was ordered to give passes; the time of the said leave not to exceed six months.—The motives to these Resolutions of the commons we find thus set down by Lord Hollis himself, one of the impeached Members: "These gentlemen thought it best, rather than a breach should be made upon their occasion, that through their sides the parliament should be stuck to the very heart, and die for ever, to make it their own act of forbearing the house: and therefore they told the house, they saw they were in that condition they could neither protect them nor themselves; that if they would not do as Achish did to David, who bid him begone because the princes of the Philistines loved him not; yet that they would, at their humble suit and desire, be pleased to give them leave to withdraw; and to such as desired it, passes to go beyond the sea; which at last they did agree to, tho' truly I must say, unwillingly; but which, all said, they looked upon as a good service done to the house for preventing greater inconveniencies."

July 23. An Ordinance passed both houses for the London Militia to return into the old commissioners hands, according to the desire of the Army. This was strongly debated in the lower house, but, on the question, passed by 77 against 46.

Petition of the Trained Bands, Apprentices, Mariners, and Soldiers, for the King's coming to London.] July 24. A Message was brought from the commons to acquaint the lords with a printed Paper which was delivered to them in form of a Petition; but in the nature of it, is a Covenant made by some persons, who endeavour to effect things prejudicial to the parliament: that the commons had drawn up their sense of this business, and desired their lordships concurrence. The petition was read.

To the right hon. the Lord Mayor, the right worshipful the Aldermen, and Common Council of the City of London, in the Common or Guildhall of the City of

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London assembled: The Humble PETITION of the Citizens, Commanders, Officers, and Soldiers of the Trained Bands and Auxiliaries; the young Men and Apprentices of the cities of London and Westminster; Sea-Commanders, Seamen and Watermen; together with divers other Commanders, Officers, and Soldiers within the Line of Communication and Parishes mentioned in the weekly Bills of Mortality.

"Sheweth; That your petitioners taking into serious consideration how Religion, his majesty's honour and safety, the privileges of parliament, and liberties of the subject, are at present greatly endangered, and likely to be destroyed; and also sadly weighing with ourselves what means might likely prove the most effectual to procure a firm and lasting Peace, without further effusion of Christian English blood; have therefore entered into a solemn Engagement, which is hereunto annexed; and do humbly and earnestly desire that this whole city may join together, by all lawful possible means, as one man, in hearty endeavours for his majesty's present coming up to his two houses of parliament with honour, safety, and freedom, and that without the nearer approach of the Army; there to confirm such things as he hath granted in his message of the 12th of May last, in Answer to the Propositions of both kingdoms: And that by a Personal Treaty with his two houses of parliament, and the commissioners of the kingdom of Scotland, such things as yet are in difference may be speedily settled, and a firm and lasting Peace established: All which we desire may be presented to both houses of parliament from this honourable assembly. And we shall pray, &c."

Their Solemn Engagement for that Purpose.] The Paper annexed to the foregoing petition stands thus in the Commons Journals:

A SOLEMN ENGAGEMENT of the Citizens, Commanders, Officers, and Soldiers of the Trained Bands and Auxiliaries; the young Men and Apprentices of the Cities of London and Westminster; Sea-Commanders, Seamen and Watermen; together with divers other Commanders, Officers, and Soldiers within the Lines of Communication, and Parishes mentioned in the weekly Bills of Mortality.

"Whereas we have entered into a Solemn League and Covenant, for reformation and defence of religion, the honour and happiness of the king, and the peace and safety of the three kingdoms of England, Scotland, and Ireland; all which we do evidently perceive not only to be endangered, but ready to be destroyed: We do therefore, in pursuance of our said Covenant, oath of allegiance, oath of every freeman of the cities of London and Westminster, and protestation, solemnly engage ourselves, and vow unto Almighty God, that we will, to the utmost of our power, cordially endeavour that his majesty may speedily come to his two houses of parliament with honour, safety, and freedom, and that without the nearer approach of the army; there to confirm such things as he hath granted in his Message of the 12th of May last, in Answer to the Propositions of both kingdoms; and that, by a Personal Treaty with his two houses of parliament, and the commissioners of the kingdom of Scotland, such things as are yet in difference may be speedily settled, and a firm and lasting Peace established.—For effecting whereof, we do protest and reoblige ourselves, as in the presence of God, the Searcher of all Hearts, with our lives and fortunes, to endeavour what in us lies, to preserve and defend his majesty's royal person and authority, the privileges of parliament, and liberties of the subject, in their full and constant freedom; the cities of London and Westminster, lines of communication, and parishes mentioned in the weekly bills of mortality, and all others that shall adhere with us to the said covenant, oath of allegiance, oath of every freeman of London and Westminster, and protestation: nor shall we, by any means, admit, suffer or endure, any kind of neutrality in this common cause of God, the king, and kingdoms, as we do expect the blessing of Almighty God, whose help we crave, and wholly devolve ourselves upon, in this our undertaking."

The Parliament declare all such Persons as shall join therein, to be Traitors.] A Deposition or two were then taken by the lords, which testified that many Officers and young Men were seen going into Skinners-Hall to sign this Petition: That very many copies were sent abroad, whereby it was supposed they might get many thousands to under-write it in a very short time: On which the commons had sent up the following Declaration, which was read and agreed to by the lords; and sent with an Order to the lord mayor and sheriffs, to be forthwith read and published, by beat of drum and sound of trumpet, in the cities of London and Westminster, and within the lines of communication; and afterwards to be sent all over the kingdom:

"The lords and commons having seen a printed Paper, intitled, 'A petition to the right hon. the Lord Mayor, the right worshipful the Aldermen, and Commons of the city of London, in the Common or Guildhall of the City of London, assembled,' under the Name of divers citizens, commanders, officers, and soldiers of the Trained Bands, Auxiliaries and others, young Men and Apprentices; Sea-commanders, Seamen and Watermen; together with a dangerous Engagement of the same persons, by Oath and Vow, concerning the king's present coming to the parliament, upon terms far different from those which both houses, after mature deliberation, have declared to be necessary for the good and safety of this kingdom; casting reflections upon the proceedings both of the parliament and army, and tending to the embroiling the kingdom in a new war: And the said lords and commons taking notice of great endea-

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vours used, by divers ill-affected persons, to procure subscriptions thereunto, whereby well-meaning people may be misled; do therefore declare, That whosoever, after publication or notice hereof, shall proceed in, or promote, or set his name to, or give consent that his name be set unto, or any way join in the said Engagement, shall be deemed and adjudged guilty of high treason, and shall forfeit life and estate as in cases of high treason is accustomed."

The commons ordered a company of foot and a troop of horse to attend their house the next day as a guard.

Letter from the Commissioners in the Army, with several Papers relating to the foregoing Engagement.] The same day a Letter from the Commissioners in the Army, with divers Papers inclosed, was read in the house of lords.

For the right hon. the earl of MANCHESTER, Speaker of the House of Peers, pro tempore.

"May it please your lordship; Yesterday the head quarters were removed unto this place, and are to-morrow to be at Bedford. Since our last dispatch unto you, we have observed that the Army hath been in very frequent consultations about the expediting the particulars which they have to propound in reference to a general Settlement; and therein, as we hear, have made some progress; but since their coming to this town, they have received information, which they give good credit unto, of some dangerous contrivance set on foot in the city of London, under pretence of 'a Petition and Solemn Engagement of the citizens, commanders, officers and soldiers of the Trained Bands; the Auxiliaries; the young Men and Apprentices of the cities of London and Westminster; Sea-Commanders, Seamen, and Watermen; together with divers other commanders, officers, and soldiers within the lines of communication;' tending very much, as is conceived by the army, to the kindling of a new war; and thereupon they have thought fit to deliver in one Paper unto us, and another unto the committee of common council residing here; the copies of both which, together with the Petition and Engagement itself, and the information they have received of the same, we held it our duty immediately to send unto your lordship, being very apprehensive of the ill effects that things of this nature may produce in the minds of the Army, if not timely prevented and remedied by the wisdom of parliament; of this the committee of the common council residing here are so sensible, that they are gone up with all speed to London to give the city a clear representation of these affairs, and what operation it is like to have here. Your, &c. C. Nottingham. P. Wharton. Aylesbury, July 23."

Next follows:

The PAPER delivered to the Commissioners of Parliament from the General and his Council of War.

"My lords and gentlemen; We received this inclosed Paper the last night, from the hands of a very well-affected citizen: it was delivered him by an officer of the city militia, who, being invited to meet some citizens at Skinners-Hall, upon Wednesday last, with divers others, to sign the same, and offering to dispute against the matter of it, and to shew how dangerous and illegal it was, was silenced; and told that it was not to be disputed, but to be signed and joined in, there being divers citizens and others, at the same place for that purpose; which, when he understood, he took this printed copy away with him.—By the contents of which, when you read it, you will easily perceive what it tends to, and how desperate and dangerous it is, to the hazard of the whole kingdom, and to frustrate all those endeavours of the parliament, the army, and kingdom, for an happy Settlement; and likewise to precipitate all into a new and bloody war. We cannot therefore but acquaint you that we look on this as a business set on foot by the malice of some desperately-minded men; this being their last engine for the putting all into confusion when they could not accomplish their wicked ends by other means. —To this end have all secret Listings tended; and we wish that needless and superfluous listing of Auxiliaries, and connivance at the continuance of the Reformadoes about the cities of London and Westminster, have not all had the same aim. And by this we hope it will appear, that our jealousies and fears of some such desperate design to be hatched in and about the city, considering the temper of men there, have not been groundless; nor our desires to draw near the city of London with the Army, to disappoint and break all such plots, and to free the parliament from the violence of them, have not been without just cause: and we desire all indifferent men to judge, whether our withdrawing from the city, in obedience to the parliament's commands, was for theirs and the kingdom's security or not. We wonder that divers men did calumniate at our marching so near the city, and put so bad representations upon it, as that it tended to force the parliament, or to plunder the city; seeing our doing so was to break that black design which now begins to shew itself in its own colours: whereas indeed our consciences witness with us that our aims were clear and honest, tending to restore the parliament unto its just liberty, which was much abated in the eyes of all the kingdom; and no doubt by the authors and contrivers of this new Covenant and Engagement, some whereof have been so far from assisting to put the Reformadoes and other dangerous persons out of the lines, that now they are called in to join in this conspiracy.—We intreat you to give the parliament a full representation of these things; which that you may do, we have sent you the Papers, together with such informations as may give them an opportunity to discover the bottom of this business. We were marching from London, when we received this

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information, in obedience to the parliament, to give the city more content, and to stop the mouths of slanderers. But if such designs, so destructive to the parliament and the work in hand, be suffered to go on; or that the parliament be interrupted in the freedom of their debates and proceedings, (as we hear within these few days they were, by those that are invited to partake of this confederacy) what must be the consequence?—We beg it of the parliament, as they tender their own safety, the peace of the kingdom, and preventing of a second war; as they would not have the kingdom lose the fruit and benefit of all the blood that hath been spilt, and treasure that hath been spent in this cause; that they would not suffer their freedom and liberty to be indangered by such designs as these; they having an Army, which, by the blessing of God, in spite of all that their and the kingdom's enemies can do, will stand and fall with them; be firm, faithful, and obedient to them in all things; and as ready to relieve Ireland when the Peace and Rights of this kingdom are settled.—We write not this to desire the parliament to invite us to march up to them; we care not how great a distance we are from London, if it be the parliament's pleasure and consists with their security, and the breaking off those combinations which are hatched in the bowels of that city.—We are hastening our Proposals which are for the general Settlement, and which we are confident will satisfy all that love peace and truth: but we see plainly we need more to intend our own security, than have cause to expect to bring things to a happy issue, by treaty, while such designs are on foot. We pray you, therefore, that the parliament would speedily and thoroughly enquire into, and break these designs; wherein, as in all things else, we shall be ready to serve them, as they shall judge it needful, and when they shall command us. By the appointment of his Excellency sir Thomas Fairfax and the Council of War, Jo. Rushworth, Sec. Aylesbury, July 23."

Great Numbers of Apprentices assemble about the House of Commons in a riotous Manner.]

July 26. This day the commons seem, by their Journals, to have been in great agitation: First, an Order was made that no Member should go out of the house without leave. Then sir Robert Pye was appointed to go to the lords and desire them to sit a while. Next, the house being informed that divers young Men and Apprentices were at the door to present a Petition, two members were ordered to go out and receive it from them. But they, returning, acquainted the house that the young Men desired that some of themselves might be admitted to present it: upon which they were called in, and presented a Petition, styled, 'The humble Desires of the Citizens, Com-'manders, Officers and Soldiers of the Trained 'Bands and Auxiliaries; the young Men and 'Apprentices of the Cities of London and 'Westminster; Sea-Commanders, Seamen and 'Watermen; together with other Commanders, 'Officers and Soldiers, within the lines of 'Communication and Bills of Mortality.' The Petitioners being withdrawn, the Petition was read, but no further notice was taken of it: however, we may suppose they staid for an Answer; for, shortly after, the house wanting to divide on a Question, they could not do it, 'by reason,' as the Journal expresses it, 'the multitude and tumult was so great at the door of the house, which by no persuasion they would quit, that the Lobby could not be cleared for the purpose.'*

* Mr. Whitlocke says, "That the Apprentices, and many other rude Boys and mean Fellows amongst them, came into the house of commons with their hats on; kept the door open, and called out as they stood, 'vote,' 'vote;' and adds, that in this arrogant manner they stood till the Votes had passed for repealing the Ordinance for changing the Militia, and the Declaration of both Houses of the 24th. Memorials, p. 263.

Ludlow (who was present in the house at the time) after giving a very particular account of what had passed at several fruitless private interviews between the king and some principal officers in the Army) writes thus: "The king having bid defiance to the proposals from the army, thought it necessary to bend all his force against them, and especially to strengthen their enemies in the parliament. To this end a Petition was contrived to press them to a speedy agreement with the king, and presented in a most tumultuous manner by great numbers of Apprentices and Rabble, backed and encouraged by many dismissed and disaffected officers who joined with them. Whilst the two houses were in debate what Answer to give to this insolent multitude, some of them getting to the windows of the house of lords, threw stones in upon them; and threatened them with worse usage, unless they gave them an Answer to their liking: others knocked at the door of the house of commons, requiring to be admitted; but some of us with our swords forced them to retire for the present; and the house resolved to rise without giving any Answer, judging it below them to do any thing by compulsion. Whereupon the Speaker went out of the house, but, being in the lobby, was forced back into the chair by the violence of the insolent rabble; whereof above a thousand attended without doors, and about forty or fifty were got into the house, so that it was thought convenient to give way to their rage; and the Speaker demanding, What question they desired to be put? They answered, That the King should be desired to come to London forthwith; which question being put, they were asked again, What further they would have? They said, 'That he should be invited to come with honour, freedom, and safety;' to both which I gave a loud negative, and some of the members as loud an affirmative, rather out of a prudential compliance than an affec-

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Petitions for revoking the late Ordinance for changing the Commissioners of the London Militia; and also the late Declaration against procuring Petitions.] Before the above Petition was presented, another had been delivered to both houses from the lord mayor, aldermen, &c. of the city of London; to which were annexed two more which that court had received from the Citizens. These, with the 'Humble Desires of the Young Men, &c.' as before-mentioned, we here give altogether for the sake of connection.

To the Hon. the House of COMMONS assembled in the High Court of Parliament: The Humble PETITION of the Lord Mayor, Aldermen, and Commons of the City of London in Common Council assembled, *

"Humbly sheweth; That the petitioners have, by an Ordinance of parliament, dated the 23d present, taken notice of the pleasure of both houses, for constituting a new Committee for the Militia of the city of London and the liberties thereof, and of all other places within the lines of communication and the weekly bills of mortality, and for determining a former Ordinance for the militia of this city, &c. dated the 4th day of May last; which being taken into serious consideration, the petitioners could not but first call to mind, how far both houses of parliament had formerly honoured the city, when they first established the Committee for the Militia, and since enlarged or altered the same, to take the sense of this court before they finally resolved thereupon; which confidence the petitioners are not conscious to themselves to have forfeited. And next, being sensible, by two Petitions presented to this Court, (the copies whereof are annexed) what a general distemper this sudden change hath already made, and may further raise in this city; besides that hereby the city is for the present put out of all regular posture of defence: The petitioners could not but return unto this honourable house, and humbly and earnestly pray, That the Militia, which was established by Ordinance of the 4th of May last as aforesaid, and then ordered to continue for one whole year, may be re-established, that so the present fears and distempers in the city may be dispersed and appeased; whereunto as the petitioners humbly conceive this to be the only present safe means, next under the mighty hand of God, so they will not doubt but that the said Militia, as hitherto they have done, will, in all things, perform their duties according to their trust. And the Petitioners shall pray, &c."

To the right hon. the Lord Mayor, the right worshipful the Aldermen, and Commons of the City of London, in Common Council assembled: The Humble PETITION of divers well-affected Citizens of the City of London,

"Sheweth; That whereas we have lifted up our hands to the High God, for the reformation and defence of religion, his majesty's just power and authority, the liberties of the subject and the privileges of parliament; and seriously considering the late transactions to violate all these, and to weaken the zeal and forwardness of this city and this honourable court, in maintenance of the same, by endeavouring to remove the present Militia, confirmed by authority of a free parliament for a year, and made choice of by this honourable court: In this strait and exigency we are bold, in all humility, yet with all earnestness, to pray, That this honourable court would sadly weigh the present dangers: and as in former times it hath been your honour to be instrumental for the preservation of this miserable and dying kingdom, by the interposition of your courage, power, and wisdom in a time of need; so you would not suffer it to be buried in perpetual oblivion and reproach, by yielding up that militia, which by the good providence of God and the authority of a free parliament, hath been invested in your hands; the only visible means, under God, we have now left for the security of our religion, lives, and liberties. And we shall pray, &c."

To the right hon. the Lord Mayor, the right worshipful the Aldermen, and the worshipful the Commons, in Common Council assembled: The Humble PETITION of divers young Men, Citizens and others, Apprentices of this Honourable City,

"Humbly sheweth; That your petitioners being sadly affected with the distractions of these times, wherein divers discontented persons, for the advancement of their own interests, labour to sow new seeds of division and discord amongst us, whereby incendiaries are encouraged; the well affected discountenanced; the privileges of parliament violated; the public worship of God slighted; the liberties and properties of the faithful subjects of this kingdom, and especially of this city, much endangered; and the long-desired end of these troubles (by his majesty's gracious compliance with, and his safe and honourable return to his parliament) which we hoped was almost obtained, now retarded, and for present altogether frustrated; have presented their humble Petition to both houses of parliament, a Copy whereof is hereunto annexed, the which they have thought it their duty likewise to tender unto this honourable court; being confident that, as their desires, in these their humble addresses, arise from no other ends whatsoever, but the glory of God and the discharge of their consciences, in pursuance of that Solemn League and Covenant which lies upon

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tion to the design on foot. By these Votes, and the coming down of divers well-affected citizens to appease them, the tumult was somewhat allayed; and the members of parliament, with their Speaker, passed through the multitude safely. Memoirs, v. 1. p. 191.

* From the Original Edition, printed by Richard Cotes, Printer to the Honourable City of London, 1647.

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them, 'to endeavour to their utmost, in their 'places and callings, to use all lawful ways 'and means, for the maintenance of the just 'Rights and Privileges of parliament,' lately so much violated; 'the preservation and de-'fence of his majesty's royal person and autho-'rity, together with the true Religion and 'Liberties of this kingdom, and for the disco-'very and bringing to condign punishment all 'evil instruments whatsoever,' which labour, by fomenting groundless fears and jealousies, to divide and make parties amongst the people, thereby to retard the Settlement of Church and State; so we doubt not but this honourable court (who have been instrumental to invite us, both by example and persuasion, according to several Ordinances and Declarations of Parliament *, to engage ourselves to the prosecution of the said ends, wherein you have already done very much, to your everlasting praise and commendation) will still, with all reality, constancy, and undaunted magnanimity, pursue the same; and likewise encourage all those that shall, according to their duty, labour to promote the same ends: wherefore we humbly pray, That this honourable court would be pleased to use their utmost endeavours, by their addresses to the parliament, and otherwise as they in their wisdoms shall think fit, for the furthering of your petitioners desires, contained in the above-mentioned Petition.—We cannot likewise but, with all thankfulness, take notice of what this honourable city hath done for the putting in execution of several Ordinances of parliament, † That none be put into any place of trust, either in church or commonwealth, but such as have taken, and now stand well-affected to the Covenant, to which we are confident that you will still adhere.—And whereas there have been and still are several factious persons, who stile themselves the Well-affected of this city, (though unworthy of that name) who labour to traduce the actions thereof, thereby to bring an odium upon it, and to lay it open to their malice: A fresh instance whereof we have in a late Petition presented to the parliament, pretended to be the Petition of the young Men and Apprentices of this city; as likewise by a Petition pretended to be presented to sir Thomas Fairfax, the which we are ready to produce, and refer the consideration of them to this honourable court. And further pray, that as both the Militia of this city hath been legally chosen by this honourable court, according to Ordinance of Parliament, and the common council legally chosen by the several wards according to the antient custom of this city, you would be pleased to retain the same power both civil and military in your own hands.—And that you would be pleased (for the prevention of the many imminent dangers, to which this city may be liable, by reason of these distractions) to take such effectual and speedy course for the safeguard and defence thereof; that the fear, either of any mutiny within, or of any unwarrantable power from abroad, may, in some measure, be taken away; whereby trade, the main support of this city, now mightily impaired, may be again revived; and the franchises and liberties of this honourable city, to which we are the apparent heirs, maintained and defended.—And as your petitioners are in duty bound, both by that relation which they stand in to this honourable city, as also by that solemn Engagement whereinto they have entered; so they will be always ready to hazard their lives for the defence thereof, and not suffer themselves directly or indirectly, by any terror or persuasion, to be drawn from their duty herein."

The Humble DESIRES of the Citizens, young Men, and Apprentices of the City of London, presented to both the Honourable Houses of Parliament, July 26, 1647.

1. "It is our humble Desire, in regard religion, our lives, liberties, and estates are so much endangered, and the peace and safety of this city and kingdom, that the pretended Ordinance for the Change of the Militia of the city of London may be presently repealed before the rising of the houses; and that former Ordinance that was conferred for a year, by a free parliament, upon the lord mayor, aldermen, and common-council, and by them legally chosen, may be established: In which regard we do conceive that no justice, though it run in never so free a channel, can lawfully dispossess them of it, unless it shall appear to be abused, contrary to the trust reposed in them. 2. It is likewise desired that the city of London may immediately be vindicated against a late pretended Declaration of both houses, which declares all those Traitors, and so to forfeit life and estate, who shall, after publication thereof, act thereupon to get subscriptions; and that the said Declaration be now presently reversed and cancelled. 3. That both houses of parliament do presently make an Order, upon some special penalty, for the calling in of all their members of either house to discharge the trust the kingdom has reposed in them, especially the 11 late accused members, against whom there has been nothing proved of their accusation to this day; that yet again we may be so happy as to enjoy the healing influence of a full and free parliament in these distracted times. These particulars we cannot but insist upon, since the distractions amongst us begin to grow so high; and the honour and privileges of parliament, the peace and safety of the city and kingdom, are so greatly violated."

Both which the Mob of London Apprentices, &c. force the Parliament to repeal.] Both houses were so terrified at being thus insulted

* "Declaration to the Kingdom, July 15, 1643. An Ordinance for Sir Tho. Fairfax, July 15, 1644." Notes in the original edition.

† "Ordinance, June 27, Nov. 30, Feb. 2, 1643." Notes in the original edition.

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and menaced, within their own walls, that they instantly passed an Ordinance for revoking and making void their Declaration of July 24, whereby all persons who should endeavour to get subscriptions to any Petition were declared Traitors; and another for annulling the Declaration of the 23d concerning the Militia; whereby the Ordinance of the 4th of May last was restored to its former force and effect. And both these revocations were also ordered to be forthwith printed and published.

Upon the great and momentous turn of affairs this day, the lords ordered, that all their Members should have Notice to attend the house peremptorily, on Friday the 30th, in the morning, at ten o'clock; notwithstanding any former leave granted to be absent: But that the Commissioners appointed to attend the King's Person might have leave to follow their own occasions; so as any three of them, one to be a peer, do take their turns in that service, as they shall agree amongst themselves.

Both the Speakers having left the Houses on account of the late Tumults, two others are chosen.] July 27. Both houses met, but did no business, and only adjourned to the 30th. On which day the members assembled, but neither of their Speakers attended. After much time spent in expectation of them, the lords proceeded to chuse the lord Willoughby of Parham in the room of the earl of Manchester. The commons chose Henry Pelham, esq; a counsellor of Lincoln's Inn, to be their speaker; and we find, by the Lords Journals, that he was presented to that house for their approbation; on which he made a short speech to this effect: "That the knights, citizens and burgesses, being in present want of a Speaker, had made choice of so bad a one as himself, and had commanded him to acquaint their Lordships with such their bad choice." To which the Speaker of the house of lords returned this Answer. "That their house very well approved the choice which the commons had made; he being a person of such abilities, integrity, and faithfulness to the parliament." After which the commons returned, with their Speaker, to their own house: but their proceedings, in this extraordinary Affair, will best appear by the following extract from their Journals:

"Die Veneris, July 30, 1647.

"According to the former Order of adjournment on Tuesday last, divers members of the house met, the Speaker being absent: after long expectations, that day, about noon, the members present desired sir Walter Erle, sir Robert Pye, Mr. Gawen, and Mr. Knightly, to repair to the Speaker's house; to give him notice of the meeting of the house, and of the time of the day, and to desire his attendance. Return was made about an hour after, by these gentlemen, That Mr. Speaker was not to be heard of: that he had not lodged at his own house that night; but was gone out of town yesterday morning. Thereupon a debate fell out, of the continuance of the house, and the power of the house to elect their Speaker, and the necessity of making a choice without delay. Two ministers were sent for to the Assembly; and after prayers, Mr. H. Pelham was nominated Speaker, and called to the chair, by a general approbation. Mr. Pelham first, in his place, excused himself for his inabilities for so great a charge, which would not be admitted. Sir Anthony Irby and Mr. Richard Lee went to the place where Mr. Pelham sat; and, according to custom, took him by each arm and conducted him and placed him in the chair. Here again he made his earnest excuses, which not being admitted, he submitted to the commands of the house."

Gen. Fairfax resolves to march with his Army to London, on account of the late Force put upon the Members.] This day the following Letter from General Fairfax to the Commissioners of the Parliament was read in the house of lords:

"My lords and gentlemen; Having resolved upon this inclosed Dispatch for the city of London, I thought it my part to send you an account of it, and to give you all assurance that my heart is deeply affected with the late carriages towards the parliament; and however others have neglected their duty towards them for their security and defence, yet, as God shall enable me, it shall be my business to improve all the power that is in my hand for the preserving of them; and, in them, the interest of this nation: and what construction soever some formerly may have put upon the proceedings of this Army, I trust the Lord shall, by his good hand, lead us into such actions as shall witness our end answerable to all our professions, to wit, the good of the kingdom; and therein to be an effectual saving of the great and just authority of the kingdom in the parliament. Your most assured Friend, T. Fairfax. Bedford, July 29."

The General's LETTER to the City of London, upon his Advance thither, with his Demands.

"My lord and gentlemen; You may please to remember the forward compliance of this Army with your desires to remove to this distance, and that upon the assurance you gave them of your concurrence with their declared Desires for the settling the liberty and peace of this kingdom, (against which you never yet offered us one exception, or any ground of dissent) as also of your great tenderness and resolution to secure the parliament and their privileges from any violence or attempt; the chief reason given us of your late listing of new forces, and wherein we did most acquiesce: That, upon this confidence, we had disposed of the Army into several parts of the kingdom, for the ease of the whole, some of them to above 100 miles distance; we had given up ourselves to the effecting such proposals as might tend to the comfortable Settlement of this poor kingdom; and we were in a hopeful way for a speedy relief of Ireland.—We cannot then but be deeply sensible of the unparalleled violation acted upon the parlia-

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ment on Monday last, by a multitude from your city; because therein the guard sent from the city did not only neglect their duty for the security of the parliament from such violence, and the whole city to yield any relief to the houses in that extremity, but I am assured, from eye and ear witnesses, that divers of the common council gave great encouragement to it; which doth not only gainsay your former professions, but does violence to those many obligations that, by your charter, protestation, and sundry other ways, laid upon you to protect the parliament: For my part, I cannot but look on you, who are in authority, as accountable to the kingdom, for your present interruption of that hopeful way of peace and settlement things were in for this nation, and for relieving Ireland; occasioned by a late destructive engagement, especially by the latter prodigious and horrid force done upon the parliament, tending to dissolve all government; upon which score we and the whole kingdom shall have cause to put every thing of the like nature, that may happen to the parliament or to any who are friends to them and this Army; except, by your wisdom, care, and industry, the chief actors in the premisses may be detected, secured, and given up; to the procuring of justice for the same, and the best endeavours used to prevent the like for the future. And so I rest, Your most assured Friend to serve you, T. Fairfax. Bedford, July 29."

The City of London petition the Parliament for Orders to stop his March.] July 30. Another Petition from the city of London was this day presented to the house of lords by the two sheriffs, and was read as follows:

To the Right Hon. the Lords assembled in the High Court of Parliament; The Humble PETITION of the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled.

"After humbly acknowledging the great favour of this honourable house in re-establishing the Militia of the city, according to their late Petition (whereby the petitioners are confident the distempers which they then feared are well allayed, and will be wholly appeased, if the rumours of the Army's advance towards the city do not again stir up the people); the petitioners are not conscious to themselves of any thing which hath proceeded from them, which may justly provoke the Army; and therefore will least of all believe that their late insisting on the Militia of this city can be any reason thereof; especially now that the parliament hath declared themselves therein. But whatever the cause be, or whether the Army march this way or not, yet that the city may have some assurance, the petitioners humbly pray this honourable house speedily to dispatch their pleasure to the army, requiring it not to advance nearer the city than 30 miles; whereby, as many great dangers will be avoided, and all jealousies removed, so the petitioners do, in the name of the city, hereby promise that there shall be no endeavour omitted on their part for the timely and safe guarding of the parliament at all times, and for the effectual suppressing of all violences and tumults which shall be raised under any pretence whatsoever. And the Petitioners shall pray, &c. Michell."

Next, the following Order, made by the Committee of the Militia, was read:

"Ordered, That the sheriffs of the city of London be desired, in case the parliament sit, to acquaint the houses with the care of this committee to defend and preserve the parliament and this city in safety; and that they, seeing danger approaching, intend to stop and secure all horses within the lines of communication and weekly bills of mortality, except the horses of market-folks, carriers, and others that bring trade and provisions to the city; and further to do what shall be necessary for their and the city's safety; and to desire the advice and encouragement of both houses in their proceedings, and to confer such further addition of power upon this committee as they shall think fit."

The lords, after debate, gave the citizens the following Answer: "That they returned them hearty thanks for their continual care of the safety of the parliament, and did very well approve of the Order that the Militia of the city had lately taken; that the lords will take the rest of their particulars into speedy consideration, and nothing shall be wanting, that in them lies, to give all furtherance for the preservation of the parliament and city."

Both Houses send the General a Letter for that purpose.] The Commons having prepared a draught of a Letter to be sent to sir Tho. Fairfax with an Order inclosed, the same were read and agreed to by the lords. The Letter runs thus:

"Sir; The houses have this day received from their Commissioners a copy of your Letter to them, dated at Bedford, July 29, with a copy of another Letter of the same date, written to the city of London; in both which, though there be no account at all of the motion of your Army, yet the houses understand by the letter from their commissioners, in which the said copies were inclosed, and otherwise, that you have given orders for the marching of the Army towards London, upon pretence of defending the houses from the danger of the tumults. Upon consideration hereof the houses have commanded us to let you know, that as they cannot but have a deep sense of the undue liberty which some Apprentices of the city of London, and others, from whom they might have expected more obedience, have taken to themselves to violate the just authority, privileges and freedom of parliament, in which the safety of the whole kingdom is concerned; so they doubt not but the sense of so great an offence will, at last, strike the breasts of those that have been accessary thereunto with a detestation of any practices

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of the like nature for the future: and as the houses cannot imagine that the disorders committed by some Apprentices, and those that mingled with them,* had the allowance of the city of London; so they have since received full satisfaction, by the strict orders given out by the lord mayor and common-council of the city, to all masters to have care of their servants; and by their Declarations proclaimed in several parts of the city, for the preventing and suppressing of Tumults, that they shall sit with much freedom and security from any disturbance for the future.—Therefore the houses, seeing no cause to command that Army, or any part thereof, to march up for their defence; but rather judging, by the distractions raised at the news thereof, that the motions of the Army near the city is like to precipitate the city and army into a desperate and bloody engagement, not only to the disturbance of the parliament's sitting, but also to the destruction thereof, and of all authority, by casting the whole kingdom into confusion: for prevention thereof have sent you this inclosed Order, requiring you, as you tender the freedom of parliament, the safety of the city and whole kingdom, to give exact obedience thereunto. This being all we have in command, we rest, &c."

The ORDER inclosed in the foregoing Letter.

"Ordered by the lords and commons assembled in parliament, That the General be required not to advance with his Army, or any part thereof, within 30 miles of London; and in case the Army, or any part thereof, be within 30 miles, that they go back."

The Lords require the Attendance of their absent Members.] Notice being taken in the house of lords, that the earls of Northumberland, Kent, Rutland, Sarum, Warwick, Denbigh, Manchester, Mulgrave, and Stamford; the viscounts Hereford, and Say and Sele; the lords De la War, Dacres, North, Grey, Roberts, Maynard, Howard, Herbert, and Bruce, had not attended according to the Order of the 26th instant, it was ordered, That they should have further notice to attend the house peremptorily without excuse, on the 31st, at ten in the morning, notwithstanding any former leave granted to them, or any of them, to be absent; and that the house expected a ready obedience to be given herein.

Several Members of both Houses, with their late Speakers, withdraw to the Army.] The absence of these peers, and the members of the house of commons, who had at this time withdrawn themselves, with their respective Speakers, is thus accounted for by Mr. Ludlow: †—"The next morning after the tumult, I advised with sir Arthur Haslerig and others what was fittest to be done in this conjuncture; and it was concluded that we could not sit in parliament without apparent hazard of our lives, till we had a guard for our defence, it being manifestly the design of the other party either to drive us away, or to destroy us: therefore we resolved to betake ourselves to the Army for protection, sir Arthur Haslerig undertaking to persuade the Speaker to go thither, to which he consented with some difficulty; and having caused 1000*l.* to be thrown into his coach, went down to the Army, which lay then at Windsor, Maidenhead, Colebrook, and the adjacent places. Having acquainted as many of our friends as I could, with our resolution to repair to the Army, I went down; and the next day, being the same to which the parliament had adjourned themselves, the Army rendezvouzed upon Hounslow-Heath; where those members of parliament, as well lords as commons, who could not with safety stay at Westminster, appeared in the head of them; at which the Army expressed great joy, declaring themselves resolved to live and die with them. At night the earl of Northumberland, the lord Say, the lord Wharton, and other lords; the Speaker and members of the house of commons aforesaid, with sir Tho. Fairfax, and many principal officers of the Army, met at Sion-House to consult what was most adviseable to do in that juncture; which whilst they were doing, an account was brought of the proceedings of those at Westminster that day, by the serjeant of the house, who came with his mace, to the no little satisfaction of the Speaker."

Proceedings of both Houses, during their Absence.] But notwithstanding the great joy expressed by the Army at the presence of so many Members of both houses amongst them, who, by imploring as it were, their protection and defence, must add greatly to their reputation; those at Westminster, being supported by the city of London and the whole force of the Presbyterian interest, seemed to set their absent brethren and the Army at defiance: for, first, they voted, That the Order of the 20th of this month for putting all the Land-Forces in the pay of the parliament under the command of sir Tho. Fairfax, did not extend to give him any power over the Trained Bands or Garrisons: that this Declaration should be published, by the Militia of the city of London, by sound of trumpet; and the same by the sheriffs in their several respective counties in England. The commons recalled their 11 Members, impeached by the Army, to sit and vote in the house. The Committee of Safety were ordered to grant commissions to all such commanders of horse, foot, and dragoons, as they shall think fit, for the service of the king, kingdom, parliament, city, and safety thereof, according to the power given them by an Ordinance of parliament. The master, wardens, and assistants of the Trinity-House were ordered to arm all the mariners and seamen they could get. Accordingly these and numbers of Reformado officers and soldiers, &c. with the city Militia, mustered in St. James's-Fields;

* "Some of the Independents belonging to the Army, who were most busy among the unruly multitude." Hollis's Memoirs, p. 145.

† Memoirs, vol. I. p. 207.

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the command of all which was given to major-general Massey, and the horse to sir Wm. Waller. Besides all this,

July 31. The house of lords sent down to the commons a Declaration concerning the King's coming to his parliament, in which they desired their concurrence, in hæc verba:

"Whereas the King hath been seized upon, and carried away from Holdenby, without his consent, by a party into the Army, where his majesty yet remaineth; the lords and commons in parliament assembled do desire that his majesty would be pleased immediately to come to his parliament: and they do declare, that he shall be there with honour, freedom, and safety; and that they, with the commissioners of the kingdom of Scotland, will make their addresses unto his majesty for a safe and well-grounded Peace." This Declaration being twice read by the commons, was altered thus: after the word 'consent,' they added, 'or the 'consent of the houses of parliament;' and, instead of 'to his parliament,' to 'such place as both houses of parliament should appoint;' and then passed it, on the question, 55 against 22.

The late Speaker, Lenthall's, Reasons for leaving the House.] This day information being given to the house of commons, that there was a Declaration of their late Speaker, (shewing the Grounds and Reasons which moved him to absent himself from attending the service of that house on Friday) then printing at one Symonds's house in Aldersgate-street, which, as the informer heard, would be very dangerous to the parliament and city, the same was read; but we do not find any thing further done upon it. As this Declaration sets forth, in a most particular manner, what happened in the Tumult of the 26th, and is not printed in Rushworth's Collections, or any of the other contemporaries, we shall give it from the original edition *

"Although it may haply be contrary to the expectation of some, that I attend not the service of the house of commons at this time, as I have constantly done for almost 7 years last past; and yet can it not be reasonably expected by any that well considers the violence offered to both the houses of parliament, and to myself in particular, on Monday; in so much that I can safely take it upon my conscience, and so I doubt not may all the members of both houses also, that they sat in continual fear of their lives; and, by terror thereof, were compelled to pass such Votes as it pleased an unruly multitude to force upon them; which, as I did then openly declare in the house, so I cannot but believe that they are void and null, being extorted by force and violence, and in that manner that they were; and I cannot any longer dispense with myself to be an instrument in passing such Votes, or to give any colour or shadow of parliamentary authority unto them, which are not the Votes of the representative body of the kingdom, but of a tumultuous multitude; as those must needs be accounted that seemed to pass the house on Monday last; and which shall pass hereafter, until better provision be made for the safe and free sitting of the houses of parliament; there being no effectual course taken by the city since the last adjournment of the houses to prevent the like tumult for the future; no nor so much as a Declaration from them to shew their dislike thereof: but, on the contrary, it is generally voiced in the town that there will be a far greater confluence of Apprentices, Reformadoes, and others on Friday, at the parliament doors; and, particularly, notice was given to me, That after they had made the house vote what they pleased, they would destroy me. I had likewise information given me, that there would be a great number of Apprentices, of a contrary opinion and affections to the other, about the parliament doors on Friday morning, which I foresaw must of necessity cause a great combustion, and, in all probability, occasion much bloodshed; the preventing of which mischiefs, together with the consideration aforesaid, have weighed more with me than any thing which may concern my own particular; and especially, having served the house faithfully and diligently for the space of very near 7 years, in a free and parliamentary way of proceedings, that I might not now be made a servant to such a multitude to transfer upon them the colour of parliamentary authority, therewithal to abuse and deceive the minds, and to destroy the lives, liberties, and estates of the people of this kingdom; and having taken a solemn Protestation and Covenant in my place and calling to maintain the privileges of parliament, and the rights and liberties of the subjects, I could not now satisfy myself but by absenting myself at this time; rather than, by my presence, to give any shadow or countenance of the authority of parliament to such apparent violations thereof: neither can the omission of a circumstance or some formality, in the adjournment of the house (when, through force and violence, it cannot meet and sit in any sort as a parliament) be any prejudice to the future meeting and proceedings thereof, when it may meet and sit again as a free parliament; it being well known that nothing can dissolve this parliament but an act of parliament.—When a company of Apprentices, Reformadoes and others, shall call the Ordinances of Parliament 'pretended Ordinances;' shall lock the doors of the houses upon them; shall swear not to let them out till they had passed what they pleased concerning the Militia of London and other things, though the houses had immediately before voted otherwise; shall threaten the houses, in case they did not instantly satisfy their demands; shall knock without, and hollow continually at the parliament doors, that the members could not be heard speak or debate; and after that the house of commons

* London, printed by M. S. (i. e. Michael Symonds) for George Whittington, 1647.

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had passed a Vote concerning the Militia of London, and that the Speaker, by the voice, had judged the major part to be for the negative, shall not suffer the house to be divided; but, in a threatening way, require those that would have given their votes against them to consent to them; if when after the house was adjourned, they shall, by main force, thrust back the Speaker again into the house, and force the members, in their presence and sight, (divers of them thrusting into the house) to vote what they demanded; when they shall jostle, pull, and hale the Speaker all the way he went down to his coach, and force him, to avoid their violence, to betake himself to the next coach he could get into for refuge; when they shall breathe forth such bloody threats against the members as they come forth of the house, and, since, against me in particular, at the next meeting of the house, as I am credibly informed; and when there is no appearance but that they will continue to do as formerly they have done, or far worse, on Friday, I could not, in discharge of my trust, protestation, and covenant, sit in the chair of the house of commons, whilst it shall be in such a condition: but so soon as it may sit again in freedom and safety, I shall be ready to attend the service thereof; but till then, as I have, upon the forementioned grounds, fully satisfied my own conscience, so I doubt not but I shall give the whole kingdom, whose interest is most concerned in it, ample satisfaction in the necessity of my absence. WILL. LENTHALL, Speaker."*

The Scots Commissioners complain of an Insult offered to the earl of Lauderdale, &c. by the Army.] August 2. A Letter from the Scots Commissioners was read in the house of lords:

"Right Honourable; The Committee of estates of the kingdom of Scotland having sent us frequent directions since these late commotions, to give them a true account, from time to time, of his majesty's condition; in pursuance thereof we desired the earl of Lauderdale to repair to his majesty at Wobourn, where we expected that he should have been used with that respect which is due to a commissioner of the parliament of Scotland: but we are herein extremely disappointed; for on Saturday morning early, before his lordship was out of his bed, a great many soldiers rushed into his chamber, and coming to his bed-side, desired him speedily to be gone without delay. He represented to them his employment: That he was there in the capacity of a Commissioner of Scotland, to attend his majesty: that he had resolved to go away that morning: and intreated he might have the liberty first to speak with his majesty, which they would not grant; but violently insisted, that what they demanded might forthwith be put in execution, and would not hearken to any reason he offered unto them: telling him it was past dispute; it was resolved upon; what they did herein would be owned by the Army, and they would maintain it; with other expressions of this kind. We do acknowledge the civility of the commissioners of both houses, who acted their parts in dissuading them from so unwarrantable an action: and one of the commissioners, in particular, represented unto them the danger thereof; acquainting them, that he had been an ambassador abroad, and did very well understand that this injury done by them to a commissioner of the parliament of Scotland, was of a very high nature; intreating, that if they apprehended any thing from Scotland, the breach might not be made upon the kingdom of England's part; and that they would not give just cause, by this action, to the kingdom of Scotland, to make war against England: but no argument did prevail; so at length the earl of Lauderdale was forced to depart, having publickly protested, before the commissioners of both houses, That he was debarred access to the king of Scotland, and his liberty taken from him, contrary to the law of nations, and a particular agreement betwixt the kingdoms. —We have formerly represented unto the honourable houses, how his majesty was carried

* We are informed by an historian of these times, and a member of this parliament, Mr. Clement Walker,† "That the day after the commons had adjourned, being Wednesday the 28th, and the monthly Fast, the Speaker and members met in Westminster Church; where the Speaker complained, in some passion, to sir Ralph Ashton, and other members, of a scandalous report raised on him in the city, as if he intended to desert the house, and fly to the Army, saying, 'He scorned to do such 'a base, unjust, dishonourable act; but would 'rather die in his house and chair:' Which being spoken in a time and place of so much reverence and devotion, made many think his secret retreat to the Army, the very next day, proceeded not so much from his own judgment, as from some strong threats from Cromwell and Ireton, (who were the chief contrivers of this desperate plot to divide the city and houses, and bring up the Army to enthrall them both) 'That if he did not comply with their desires, 'they would cause the Army to impeach him 'for cousening the state of many vast sums of 'money.' And truly I remember I have seen an intercepted letter, sent about the time of his flight, from the Army to William Lenthall, Speaker, without any name subscribed to it, only the two last lines were of John Rushworth's hand; earnestly importuning him to retire to the Army with his friends."—This last circumstance of the intercepted letter is confirmed by lord Hollis, who stiles the Speaker's withdrawing himself a conspiracy with the army, designed and laid principally by Mr. Oliver St. John, the Solicitor.

† The History of Independency, printed in 1648, under the Name of Theodorus Verax; but afterwards reprinted by R. Royston, in 1661, with the Author's own name, and continued to the Restoration by another hand. P. 42.

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away from Holdenby, by a party of sir Tho. Fairfax's army; which the soldiers beforementioned did, on Saturday last, before the earl of Lauderdale and some of the commissioners of both houses, own to be the act of the whole soldiery of the Army. We did likewise acquaint the houses, how our letters to Scotland were intercepted by some of that Army.—And now, to complete these injuries, they offered violence to a commissioner of the parliament of Scotland, debarred him of access to his majesty, deprived him of his liberty, and drove him away: so that there remains no hope that there can be application made hereafter to his majesty from the kingdom of Scotland: nor can we be able to give that account of his majesty's condition to that kingdom which is expected from us, so long as he is in the power of that Army. Wherefore we desire that the houses of parliament will, in their wisdom, take such course herein, as reparation may be made to the kingdom of Scotland of these multiplied injuries; and especially of the last done against the person of a public minister of the kingdom of Scotland, in so violent a manner. And to the end there may be a free and unrestrained application to his majesty from the parliaments of both kingdoms, we do earnestly desire the honourable houses to invite his majesty to come to London; and to declare that he shall be here in safety, honour, and freedom; than which we see no other probable means, for the present, to obtain a safe and well-grounded Peace; and so we rest, Your, &c. Lauderdale, Cha. Erskine, Hugh Kennedy, Robert Barclay. August 1."

The Parliament order the King's Children to the Care of the Lord Mayor, and desire his Majesty to come to London.] Upon reading this Letter the lords ordered that the King's Children at St. James's be removed into the city, and that the lord mayor and sheriffs be desired to take care of them; and that examination should be made what practices had been used to convey them away; to which the commons agreed. The earl of Northumberland also was summoned, by letter, to repair to his charge of the children, and to give his attendance in parliament. The lords also passed a Vote to be added to their former of July 31, viz. That the place the King be desired to come to should be London; and that both these Votes be sent to the king, and published in London, &c. by the lord mayor and sheriffs, by sound of trumpet. This last vote was agreed to by the house of commons, on a division of 73 against 32.

The Assembly of Divines mediate for Peace.] Several ministers from the Assembly of Divines presented the following Paper to both houses:

To the Right Hon. the Lords and Commons assembled in Parliament.

"The Assembly of Divines being, by their profession, ministers of the Gospel of Peace, under Christ the prince of peace, hearing of preparations tending to a sudden war between the Army and the city, do, in the name of Jesus Christ, humbly crave leave, in these few words, to mediate for Peace at the hands of all that have any interest in the managing thereof, as that wherein Christians are most deeply concerned; the glory of God, which all parties profess to regard and advance; the safety of the king, parliament, and kingdom, which being lately in a hopeful way to be established in a happy peace, is now in danger to be overwhelmed with a sea of blood; (the end and sad consequences whereof no man is able to foresee) and the welfare of all the people of God in the land, who are likely to be engaged one against another: wherefore we humbly pray, in the bowels of Jesus Christ, that all possible means may be used, by treaty or otherwise, that the effusion of Christian blood may be prevented; Ireland relieved; and all God's people enjoy the fruit of their prayers in the flourishing of the true religion, and settlement of the peace and prosperity of the three kingdoms."

The Answer returned by both houses was to this effect, "That they gave the Assembly thanks for their care and good affections to the good and peace of the kingdom, and should not be wanting in any thing to effect it."

The King disavows having any Concern in the late Tumult.] August 3. The lord Montague sent word that the King intended to go, as the day before, to Stoke, a house of the lord Purbeck's, near Windsor, where the commissioners thought it their duty to attend him. From thence his majesty issued the following Declaration, disavowing any preparations in him to levy war against his two houses of parliament; and also sent a Letter to sir Thomas Fairfax.

"C. *R.* There having been many rumours spread, and informations given, which may have induced many to believe that we intend to make war against our parliament: We profess before God and declare to all the world, That we always have and do abhor all such designs; and desire all our nobility and commons, who are here upon the place, to declare whether they have not been witnesses of our frequent and earnest declarations and professions to this purpose; whether they see any colour of preparations or councils, that might reasonably beget a belief of any such design; and whether they be not fully persuaded that we have no such intentions; but that all our endeavours (according to our many professions) tend to the firm and constant settlement of the true Protestant religion, the just privileges of parliament, the liberty of the subject, the law, peace, and prosperity of this kingdom. Stoke, Aug. 4."

The King's Letter to sir Tho. Fairfax delivered by sir John Berkeley, and Mr. John Ashburnham.

"C. *R.* His majesty being advertised of many false rumours raised of him to comply with a party to raise forces against you and

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your army: His majesty doth hereby acquit himself of the great scandal cast upon him therein; and for the proceedings of some in London and elsewhere, who have of late raised tumults in the city, and other places, his majesty doth utterly disclaim the same, testifying a great dislike thereof. His majesty doth account it too dishonourable an action to have thoughts of being brought to London in such a tumultuous manner. Stoke, Aug. 4.

A Letter from the new Speakers to sir Tho. Fairfax, requiring an Answer to their Letter forbidding his march towards London.] A Letter, signed by both the new Speakers, was ordered to be sent to the Commissioners residing with the Army, inclosing one to sir Tho. Fairfax as follows:

"Sir; We are commanded by both houses of parliament to acquaint you, that, by reason of the late Speakers having withdrawn themselves, the houses made choice of us to be their respective Speakers; and that, on Friday last, a Letter was sent to you from both houses, to let you know the parliament was in safety by the care of the lord mayor, aldermen, common-council, and militia of the city of London, and free from danger of any tumults; and that, to prevent such mischiefs as might attend the nearer approach of the Army, you should not suffer the army to come nearer this city than 30 miles, according to the Order of both houses then sent unto you; to which Letter no answer hath been as yet returned: We are therefore commanded to let you know that, as your obedience and answer thereunto hath been hitherto expected, so the houses, being informed that, notwithstanding the said Letter and Order, the body of the army are drawn up much nearer this city than 30 miles, contrary to the expectation of the parliament, and tending to the terror and astonishment of the city; whence, besides the straightening of the city of provisions, sundry other mischiefs may follow; both houses, therefore, have thought fit to require you, that you cause such of the Army as are already marched nearer than 30 miles, forthwith to draw back to that distance, and that no part of it come nearer than 30 miles of this city, according to the said Order.—We are also commanded to signify unto you, that as to the disorderly carriage of some Apprentices and others at Westminster, the 26th of July last, the same is already put into a way of examination: and the houses are resolved that such further course shall be taken thereupon as shall be agreeable to justice.—The houses have also received information that, on the last Lord's day in the morning, and within 3 or 4 miles of this place, a party of horse of that Army under the command of major Desborough, in a hostile manner, fell upon divers persons that were in a peaceable condition, and quartered there by authority of parliament, until they should get their arrears paid, and be disbanded, as was formerly ordered: some of them were murdered, others of them were wounded, and divers of them were stripped and carried away, pinioned as prisoners; and divers horse and arms forcibly taken away without any provocation given: that another part of the forces under your command have surprized and seized upon Tilbury Block-house, in Essex, upon the river of Thames: that the houses have seen copies of several Warrants, alledged to be signed by yourself and the officers under your command, for the raising of the Trained Bands and forces of the country as you pass, to join with you, for which you never had any authority of parliament: that the houses are also informed that you have given orders for the levying of monies or provisions on the country, contrary to the laws of the land, and in violation of the rights and freedom of the subject: that the house of commons have also received advertisement from sir Samuel Luke, knt. a member of that house, that a party of dragoons of the Army, by your warrant, and a warrant of one major Tuleday, did, on the last Lord's day, assault his person; and did, by force, carry him away prisoner from his own house, to what place we know not; and we cannot hear that he is yet released, which the houses require you to see presently done.—As they hold it strange that such acts of violence, touching not only on the liberty, but on the lives, of the subjects, and the privileges of parliament, should be done, especially if it be by any direction of yours; so they cannot but resent them, and the more, not only for the blood therein spilt, but also for that those actions, at this time, are so far from conducing to the happy peace that both houses have so earnestly endeavoured, and do still labour to procure, and to ease the kingdom of charge, that they can be understood to be no other than acts of hostility and the beginning of a new war, and the increasing of charge upon the country, by force of arms, without any manner of cause or authority.—Lastly, we are commanded to acquaint you with a complaint of a high nature, made by the Commissioners of the parliament of Scotland against some of your Army, for violation of the law of nations, and the Treaty concluded between both kingdoms, as may appear unto you by a copy of their Letter we send you here inclosed: and considering that the proceedings that they complain of may prove of dangerous consequence to both kingdoms, and tend to the embroiling of both nations in a new war, if a course be not taken to prevent it, the houses therefore have thought fit to require you to inform yourself fully therein, and to give them a speedy and full account of the business; to the end that they may return such an Answer as may become them to the Commissioners of the Parliament of Scotland. We rest, your, &c. HUNSDON, Speaker of the House of Peers, pro tempore. H. PELHAM, Speaker of the House of Commons."

The late Speakers, &c. restored to their Seats by the Army.] Aug. 6. After an entire stop of business till this day, (during which interval, though both houses met, they did nothing but

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adjourn, de die in diem) sir Henry Vane, jun. reported, from the Commissioners of parliament appointed to reside with the Army, an account of the proceedings of the Army and Commissioners for these few days last past; and the Grounds and Reasons that were given unto them for the removal and march of the Army to this town, in regard of the force and violence offered to the parliament; and that, when notice came to the Army of this violence, the Army, in pursuance of the Orders of both houses, was 40 miles distant from the city, and their quarters scattered near 200 miles; and almost finished their Proposals for settling the public Peace; and were come to a Resolution of sending speedily 8000 foot and 2000 horse into Ireland: but, upon the notice of this violence, they contracted their quarters. He further acquainted the house, That the General himself was come to London, to sir Abraham Williams's house; and that the Army was advanced to the town, in order to the safe and free sitting of the parliament: That, at Colebrooke, the commissioners of the Army delivered unto the commissioners of parliament, Heads of Proposals to be treated upon by the Commissioners; of which he read the title, and, by command of the house, delivered them in accordingly.

Declaration from General Fairfax and his Council of War concerning the late Tumult.] These were inclosed in the following Declaration from sir Tho. Fairfax and his Council of War:

" Colebrooke, Aug. 2, 1647.

" Since our drawing back to Reading, we have applied ourselves, with all diligence, to frame and hasten an intire body of all the particular Proposals, which we would tender to the Commissioners of Parliament residing with the Army, to be treated on in pursuance of those general Desires expressed in our former Declarations and Papers, for the securing of the common Rights and Liberties, and a present settling of the Peace of the kingdom. In which business, (notwithstanding the many interruptions and disturbances, which daily advertisements of the indirect and treachérous practices and preparations of the Committee of Militia, and others in and about the city of London and elsewhere, tending to a new war, have occasioned, to the diverting or retarding of our proceeding therein) we have made a progress as speedy as the nature and weight of such a work would admit; and, having finished the same, we have delivered in an Abstract of the Heads thereof unto the said Commissioners of Parliament to be treated upon.—But the late pernicious Engagement set on foot in the city, and, much more, that prodigious violence done to both houses of parliament on Monday last, having wholly taken us off for the present; and rendered all proceeding in the way of treaty thereupon merely vain and hopeless, until it shall please God the parliament be righted and vindicated against that violation done to it, and restored into a condition of freedom, so as the unquestioned members of it may repair together with safety, and proceed according to their just freedom: We have thought good, in the mean time, to make this public tender of the Heads of the Proposals to the consideration of the whole kingdom; wherein, though all circumstances requisite to be determined in an actual Settlement be not so fully and perfectly expressed as upon the Treaty intended, (if not interrupted as before) they might speedily have been; yet all men may see and understand, in these, the effect and bottom of our Desires; whereupon we have sincerely studied, that a present Peace might be settled; which same thing (with and after such vindication of the parliament as may again render it into a capacity to establish the same) we shall still faithfully endeavour to the utmost of our powers; and accordingly shall expect the chearful and hearty concurrence of all those who are, or shall be, satisfied concerning the integrity of our intentions to the peace and welfare of the kingdom in these Proposals; or who shall, for the main, desire or approve of the same things with us, in order to a settlement.—And to these Proposals which we here first tender as necessary to a Peace, and upon which we desire the seal of peace, (in the restitution of his majesty and others to their rights, and in an act of oblivion to be passed) we cannot but add the further expression of our desires in some other particulars; which, though not so essential to peace as necessarily to precede the settling of it, yet being matters of a public nature, and most of them of general grievance to the kingdom, which we every where find the outcries of; and being contained in, or in pursuance of, the same things expressed in our former Representations and Papers, we shall desire, That, the parliament being set free, no time may be lost for a speedy consideration of them, so as the former things for the present settling of Peace be not delayed thereby.—By the appointment of his Excellency sir Thomas Fairfax and the Council of War, J. RUSHWORTH, Secretary."

The HEADS of the PROPOSALS agreed upon by his Excellency sir Thomas Fairfax and his Council of War, referred to in the foregoing Declaration.

" August 1, 1647.

I. "That the things hereafter proposed being provided for by this parliament, a certain period may, by act of parliament, be set for the ending of this parliament; such period to be within a year at most: And, in the same act, provision to be made for the succession and constitution of parliaments in future, as followeth: 1. That Parliaments may biennially be called, and meet at a certain day, with such provision for the certainty thereof, as in the late act was made for Triennial parliaments, and what further or other provision shall be found needful by the parliament to reduce it to more certainty: and, upon the passing of this, the said act for Triennial Parliaments to be repealed. 2. Each Biennial Parliament to

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sit 120 days certain, unless adjourned, or dissolved sooner by their own consent; afterwards to be adjournable or dissolvable by the king: And no parliament to sit past 240 days from their first meeting, or some other limited number of days now to be agreed on: Upon the expiration whereof each parliament to dissolve of course, if not otherwise dissolved sooner. 3. The king, upon advice of the council of state, in the intervals betwixt Biennial Parliaments, to call a parliament extraordinary, provided it meet above 70 days before the next Biennial day; and be dissolved at least 60 days before the same, so as the course of biennial elections may never be interrupted. 4. That this parliament, and each succeeding Biennial parliament, at or before adjournment or dissolution thereof, may appoint committees to continue during the interval, for such purposes as are, in any of these proposals, referred to such committees. 5. That the elections of the commons for succeeding parliaments may be distributed to all counties, or other parts or divisions of the kingdom according to some rule of equality or proportion; so as all counties may have a number of parliament members allowed to their choice, proportionable to the respective rates they bear in the common charges and burthens of the kingdom; or, according to some other rule of equality or proportion, to render the house of commons, as near as may be, an equal representative of the whole; and in order thereunto, that a present consideration be had to take off the elections of burgesses for poor, decayed, or inconsiderable towns; and to give some present addition to the number of parliament members for great counties that have now less than their due proportion; to bring all at present, as near as may be, to such a rule of proportion as aforesaid. 6. That effectual provision be made for future freedom of elections, and certainty of due returns. 7. That the house of commons alone have the power, from time to time, to set down further Orders and Rules for the ends expressed in the two last preceding Articles; so as to reduce the election of members of that house to more and more perfection of equality in the distribution, freedom in the election, order in the proceeding thereto, and certainty in the returns; which orders and rules, in that case, to be as laws. 8. That there be a liberty for entertaining dissents in the house of commons, with a provision that no member be censurable for ought said or voted in the house, further than to exclusion from that trust, and that only by the judgment of the house itself. 9. That the judicial power, or power of final judgment in the lords and commons, and their power of exposition and application of law, without further appeal, may be cleared: And that no officer of justice, minister of state, or other person adjudged by them, may be capable of protection or pardon from the king, without their advice and consent. 10. That the Right and Liberty of the commons of England may be cleared and vindicated as to a due exemption from any judgment, trial, or other proceeding against them by the house of peers, without the concurring judgment of the house of commons: as also from any other judgment, sentence, or proceeding against them, other than by their equals, or according to the law of the land. 11. The same act to provide, that Grand-Jurymen may be chosen by and for several parts or divisions of each county respectively, in some equal way; and not remain, as now, at the discretion of an under-sheriff, to be put on or off: and that such Grand-Jurymen for their respective counties may, at each assize, present the names of persons to be made justices of peace, from time to time, as the country hath need for any to be added to the commission; and at the summer assize to present the names of three persons, out of whom the king may prick one to be sheriff for the next year.—II. For the future security to parliaments and the militia in general, in order thereunto that it be provided, by act of parliament, 1. That the power of the militia, by sea and land, during the space of ten years next ensuing, shall be ordered and disposed by the lords and commons assembled, and to be assembled in the parliament or parliaments of England; or by such persons as they shall nominate and appoint for that purpose, from time to time, during the said space. 2. That the said power shall not be ordered, disposed, or exercised by the king's majesty that now is, or by any person or persons by any authority derived from him, during the said space, or at any time hereafter by his said majesty, without the advice and consent of the said lords and commons, or of such committees or council, in the intervals of parliament, as they shall appoint. 3. That, during the space of ten years, the said lords and commons may, by Bill or Ordinance, raise and dispose of what monies, and for what forces they shall, from time to time, find necessary; as also for payment of the public debts and damages: and for all other the public uses of the kingdom. 4. And to the end the temporary security, intended by the three particulars last precedent, may be the better assured, it may therefore be provided, That no subjects that have been in hostility against the parliament in the late war shall be capable of bearing any office of power or public trust in the common-wealth, during the space of five years, without consent of parliament, or of the council of state; or to sit as members, or assistants, of either house of parliament, until the second Biennial Parliament be past.—III. For the present form of disposing the Militia, in order to the peace and safety of this kingdom, and the service of Ireland, 1. That there be commissioners for the Admiralty, with a vice-admiral and rear-admiral, now to be agreed upon, with power for the forming, regulating, appointing of officers, and providing for the Navy, and for ordering the same to and in the ordinary service of the kingdom; and that there be a sufficient provision and establishment for pay and maintenance

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thereof. 2. That there be a general for command of the Land Forces that are to be in pay, in England, Ireland, and Wales, both for field and garrison. 3. That there be commissioners in the several counties, for the standing Militia of the respective counties, consisting of Trained Bands and Auxiliaries not in pay; with power for the proportioning, forming, regulating, training and disciplining of them. 4. That there be a Council of State, with power to superintend and direct the several and particular powers of the Militia last mentioned, for the peace and safety of this kingdom, and of Ireland. 5. That the same council may have power as the king's privy-council, for and in all foreign negotiations; provided that the making of war or peace with any other kingdom or state, shall not be without advice and consent of parliament. 6. That the said power of the council of state be put into the hands of trusty and able persons, now to be agreed on; and the same persons to continue in that power, *si bene se gesserint*, for a certain term not exceeding 7 years. 7. That there be a sufficient establishment now provided for the salary of forces both in England and Ireland; the establishment to continue until two months after the meeting of the first biennial parliament.—IV. That an act be passed for disposing the great offices, for ten years, by the lords and commons in parliament, or by such committees as they shall appoint for that purpose in the intervals, with submission to the approbation of the next parliament; and, after ten years, they to nominate three, and the king out of that number to appoint one for the succession upon any vacancy.—V. That an act be passed for restraining any peers, made since the 21st of May, 1642, or to be hereafter made, from having any power to sit or vote in parliament, without consent of both houses.—VI. That an act be passed for recalling and making void all Declarations and other Proceedings against the Parliament, or against any that have acted by, or under, their authority in the late war, or in relation to it: and that the Ordinances for Indemnity may be confirmed.—VII. That an act be passed for making void all Grants, &c. under the great seal, that was conveyed away from the parliament, since the time it was so conveyed away, except as in the Parliament's Propositions; and for making those valid that have been, or shall be, passed under the Great Seal made by the authority of both houses of parliament.—VIII. That an act be passed for confirmation of the Treaties between the two kingdoms of England and Scotland, and for appointing Conservators of the Peace betwixt them.—IX. That the Ordinance for taking away the Court of Wards and Liveries be confirmed by act of parliament; provided his majesty's revenue be not damnified therein, nor those that last held offices in the same left without reparation some other way.—X. An act to declare void the Cessation of Ireland, &c. and to leave the prosecution of that War to the lords and commons in the parliament of England.—XI. An act to be passed to take away all coercive power, authority, and jurisdiction of Bishops, and all other ecclesiastical officers whatsoever, extending to any civil penalties upon any; and to repeal all laws, whereby the civil magistracy hath been, or is bound, upon any ecclesiastical censure, to proceed, ex officio, unto any Civil Penalties against any persons so censured—XII. That there be a repeal of all acts, or clauses in any act, enjoining the use of the Book of Common Prayer, and imposing any penalties for neglect thereof; as also of all acts, or clauses in any act, imposing any penalty for not coming to church, or for meetings elsewhere for prayer or other religious duties, exercises or Ordinances; and some other provision to be made for discovering of papists and popish recusants, and for disabling of them, and of all jesuits or priests, from disturbing the state.—XIII. That the taking of the Covenant be not inforced upon any, nor any penalties imposed upon the refusers, whereby men might be constrained to take it against their judgments or consciences; but all Orders or Ordinances tending to that purpose to be repealed.—XIV. That (the things here before proposed being provided for settling and securing the Rights, Liberties, Peace, and Safety of the kingdom) his majesty's person, his queen, and royal issue, may be restored to a condition of safety, honour and freedom in this nation; without diminution to their personal Rights, or further limitation to the exercise of the regal power, than according to the particulars aforegoing.—XV. For the matter of Compositions: 1. That a less number out of the persons excepted in the two first Qualifications, (not exceeding five for the English) being nominated particularly by the parliament, who, together with the persons in the Irish rebellion, included in the third Qualification, may be reserved to the further judgment of the parliament, as they shall find cause; all other excepted persons may be remitted from the exception, and admitted to composition. 2. That the Rates for all future Compositions may be lessened and limited, not to exceed the several proportions hereafter expressed respectively: that is to say, For all Persons formerly excepted, not above a third part. For the late members of parliament, under the first branch of the fourth Qualification in the Propositions, a fourth part. For other members of parliament, in the second and third branches of the same Qualification, a sixth part. For the persons nominated in the said fourth Qualification, and those included in the tenth Qualification, an eighth part. For all others included in the sixth Qualification, a tenth part. And that all real debts, either upon record or proved by witnesses, be considered, and abated in the valuation of their estates in all the cases aforesaid. 3. That those who shall hereafter come to compound, may not have the Covenant put upon them as a condition without which they

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may not compound; but in case they shall not willingly take it, they may pass their compositions without it. 4. That the Persons and Estates of all English, not worth 200*l.* in lands or goods, be at liberty and discharged; and that the king's menial servants, that never took up arms, but only attended his person according to their offices, may be freed from composition, or pay at most but the proportion of one year's revenue, or a twentieth part. 5. That, in order to the making and perfecting of compositions at the rates aforesaid, the rents, revenues, and other dues and profits of all sequestered Estates whatsoever, except the Estates of such persons who shall be continued under exception as before, be from henceforth suspended and detained in the hands of the respective tenants, occupants, and others from whom they are due, for the space of six months following. 6. That the faith of the army, or other forces of the parliament, given in Articles upon surrenders to any of the king's party, may be fully made good; and where any breach thereof shall appear to have been made, full reparation and satisfaction may be given to the parties injured, and the persons offending, being found out, may be compelled thereto.—XVI. That there be a general Act of Oblivion to extend unto all, (except the persons to be continued in exception as before) to absolve from all Trespasses, Misdemeanors, &c. done in prosecution of the war, and from all trouble or prejudice for or concerning the same, after their compositions past; and to restore them to all privileges, &c. belonging to other subjects, provided, as in the fourth particular under the second general head aforegoing concerning security. And whereas there have been, of late, strong endeavours and practices of a factious and desperate party, to embroil this kingdom in a new war; and for that purpose to induce the king, queen, and prince to declare for the said party; and also to excite and stir up all those of the king's late party to appear and engage for the same; which attempts and designs, many of the king's party, out of their desires to avoid further misery to the kingdom, have contributed their endeavours to prevent, as for divers of them we have had particular assurance: We do therefore desire, that such of the king's party who shall appear to have expressed, and shall hereafter express that way, their good affections to the peace and welfare of the kingdom, and to hinder the embroiling of the same in a new war, may be freed and exempted from compositions, or to pay but one years revenue, or a twentieth part.—These particulars aforegoing are the Heads of such Proposals as we have agreed on to tender, in order to the settling of the Peace of this kingdom; leaving the terms of Peace for the kingdom of Scotland to stand as in the late Propositions of both kingdoms, until that kingdom shall agree to any alteration.

Next to the Proposals aforesaid for the present settling of Peace, we shall desire that no time may be lost by the parliament for dispatch of other things tending to the welfare, ease, and just satisfaction of the kingdom; and in special manner, 1. That the just and necessary Liberty of the people to represent their Grievances and Desires, by way of Petition, may be cleared and vindicated, according to the sixth Head in the late Representation or Declaration of the Army sent from St. Alban's.* 2. That in pursuance of the same Head in the said Declaration, the common Grievances of the people may be speedily considered of, and effectually redressed; and in particular, That the Excise may be taken off from such commodities whereon the poor people of the land do ordinarily live, and a certain time to be limited for taking off the whole.—That the oppressions and encroachments of Forest-Laws may be prevented for the future.—All Monopolies, old or new, and Restraints to the Freedom of Trade to be taken off.—That a course may be taken, and commissioners appointed, to remedy and rectify the inequality of rates being upon several counties, and several parts of each county, in respect of others, and to settle the proportions for land rates to more equality throughout the kingdom; in order to which we shall offer some further particulars, which we hope may be useful.—The present unequal, troublesome, and contentious way of ministers maintenance by tythes, to be considered of, and some remedy applied.—That the rules and course of law, and the officers of it, may be so reduced and reformed, as that all suits and questions of Right may be more clear and certain in the issues, and not so tedious nor chargeable in the proceeding as now; in order to which we shall offer some further particulars hereafter.—That Prisoners for Debt, or other creditors who have estates to discharge them, may not, by embracing imprisonment, or any other ways, have advantage to defraud their creditors; but that the estates of all men may be some way made liable to their Debts, (as well as tradesmen are by commissions of bankrupt) whether they be imprisoned for it or not. And that such prisoners for Debt, who have not wherewith to pay, or at least do yield up what they have to their creditors, may be freed from imprisonment, or some way provided for, so as neither they nor their families may perish by their Imprisonments.—Some provisions to be made, that none may be compelled, by penalties or otherwise, to answer unto questions tending to the accusing of themselves or their nearest relations, in criminal causes, and no man's life to be taken away under two witnesses.—That Consideration may be had of all Statutes, and the laws or customs of Corporations, imposing any Oaths; either to repeal, or else to qualify and provide against the same, so far as they may extend or be construed to the molestation, or ensnaring of religious and peaceable people, merely for nonconformity in reli-

* See p. 623.

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gion. 3. That, according to the seventh head in the Declaration of the Army, the large powers given to committees or deputy lieutenants, during the late times of war and distraction, may be speedily taken into consideration, to be recalled and made void; and that such powers of that nature as shall appear necessary to be continued, may be put into a regulated way, and left to as little arbitrariness as the nature and necessity of the things wherein they are conversant will bear. 4. That, according to the eighth Head in the said Declaration, an effectual course may be taken that the kingdom may be righted and satisfied, in point of Accounts, for the vast sums that have been levied. 5. That provision may be made for payment of Arrears to the Army, and the rest of the Soldiers of the kingdom, who have concurred with the Army in the late Desires and proceedings thereof; and, in the next place, for payment of the public Debts and Damages of the kingdom; and that to be performed, first, to such persons whose debts or damages, upon the public account, are great, and their estates small, so as they are thereby reduced to a difficulty of subsistance; in order to all which, and to the fourth particular last preceding, we shall speedily offer some further particulars, in the nature of rules, which we hope will be of good use towards public satisfaction.—By the Appointment of his excellency sir Tho. Fairfax, and the Council of War, Jo. Rushworth, Secretary."

A Thanksgiving appointed for the Army's bringing back the Members that had left the Houses.] Aug. 6. The first thing the lords ordered this day, was to appoint a Thanksgiving for God's great mercy, in bringing the Members of both houses of parliament back again to their seats, in safety, and preserving them from tumults without blood-shed. Mr. Marshal and Mr. Nye were ordered to preach before the Members of both houses that day, in the Abbey Church at Westminster.

The Commissioners of Parliament, (those that attended the person of the King and those for the Army) declared, that the reason they had not given the lords any late intelligence, was, in regard of the violence and force that had been lately used to both houses in the Tumult. On which their lordships voted, That they approved of what the commissioners had done, in omitting any returns to them of their employment, in respect of the late great disturbances.

The Lords declare all Proceedings during that Interval to be void.] Next the following Vote was agreed to: Resolved, &c. "That the Ordinance of the 26th of July last, for revoking and making void the Ordinance of the 28d of the same month, for settling the Militia of the city of London, being gained from the houses by force and violence; and all Votes, Orders, and Ordinances, and other acts made, or pretended to be made, since the said Ordinance, by any persons in either of the houses, by colour of parliament, before the return of Edward earl of Manchester, Speaker of the house of peers, and William Lenthall, esq. Speaker of the house of commons, are null and void, and are hereby declared so to be." Ordered, That these Votes, &c. should be sent to the commons for their concurrence.

Declaration of the Army's Reasons for advancing towards London.] Then a Letter from sir Thomas Fairfax, with a Declaration inclosed, were both read:

To the right. hon. the earl of MANCHESTER, Speaker of the house of peers, and W. LENTHALL, esq. Speaker of the house of commons, or either of them.

"Right Honourable; Having resolved on this inclosed, as the sense of this Army, upon occasion of the late violence offered to yourselves and to both houses of parliament, I think fit to tender the same unto you; and desire that you would be pleased to communicate it to the members of both houses now in the army. I remain, Your, &c. T. Fairfax. Colebrooke, Aug. 3."

A DECLARATION of his Excellency sir Tho. Fairfax and his Council of War, on behalf of themselves and the whole Army, shewing the Grounds of their present Advance towards the city of London.*

"Colebrooke, August 3, 1647.

"When this Army was formerly led by the manifold dispensations of God's providence, and the Grounds then declared, to advance towards the city of London, we held it our duty to yield the kingdom the sum of those Desires, which we had to propose on behalf of it and ourselves, wherein we should acquiesce: And having received from the parliament some hopes of due satisfaction therein, and some assurance from the lord mayor, aldermen, and common council of the city of London, of their ready concurrence with us in those things; and also great resolution, professed by them, of their care and tenderness to preserve all the Rights and Privileges of parliament safe, free, and inviolate from attempts of all kinds; we do appeal to God, to the city, and to all men, what a speedy compliance their desires for our removal to a further distance found in this Army; for preventing all fears, jealousies, and other inconveniences to the city, and to give clear testimony that we had nothing in our breast but thoughts of peace, and the good and welfare both of the parliament, city, and kingdom; notwithstanding many false and and scandalous reports raised that we sought ourselves, that we had vile and wicked ends, and that nothing would satisfy the soldiers but the plunder of the city; the contrary whereof did manifestly appear, when they so readily marched back upon hopes of satisfaction in their desires of public concernment.—Having then, upon the aforesaid confidence, so withdrawn; and, out of a just

* From the original edition printed at Oxford, by J. Harris and H. Hills, Printers to his excellency sir Thomas Fairfax, 1647.

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sense of the country's suffering by quartering, removed the head-quarters of the Army above 40 miles from London, and dispersed the rest well nigh 200 miles, for the more ease of all parts, and that we might give the better satisfaction to the kingdom; and being in this secure way, and labouring after the sudden settlement of the kingdom, we had even brought to perfection the particular Proposals (included in the Generals of our first Representation) to be sent to the parliament for a final conclusion of all our troubles; and also had made good progress towards the present Relief of distressed Ireland, by assigning a competent force both of horse and foot forthwith to have advanced for that service.—But the kingdom's and our enemies being most vigilant and active to prevent and frustrate those good intentions and endeavours of ours, (that they might carry on their former evil designs, and underhand practices, and also preserve themselves from the hands of justice) have endeavoured to cast the kingdom into a new and bloody war; and for that end have procured the under-hand listing of several reformadoes and others; have contrived, promoted, and caused to be entered into by several persons, a wicked and treasonable combination, as sufficiently manifested by a Declaration passed thereupon by both houses of parliament the 23d of July last, for prevention of the disturbances that were like to ensue thereupon: From which kind of disorders the city hath been well preserved during the space of almost 4 years, whilst the militia was in the hands of the old commissioners; whereby it appears there was cause for the Army to intreat the parliament that the militia might be returned into the hands it was in before, as also for divers other good Reasons.—First, The old Commissioners of the Militia, that have been since left out, were not only persons without all exception, having been formerly chosen and approved by the parliament and city, but also men of whom the city, parliament, and kingdom, have had above 4 years experience in the faithful discharge of their trust: men that ever from the beginning, in the worst of times, and in the occasions of greatest difficulty, had faithfully and constantly engaged for and with the parliament in this cause: men that were always most desirous of a Peace, but of a safe and well-grounded one, and that had always testified a great care to prevent all occasions of embroiling the kingdom in a new war. Now that, on a sudden, this trust, which they had faithfully discharged so long, should be taken out of their hands, and put into the hands of others, some whereof, at the best, have been very cool in the service of the parliament at the beginning of this war: That this should be pressed, and in a manner forced upon the parliament, with such importunity from the common council, that some out of every ward should be appointed to solicit the members of the house of commons, every day as they went in and out of the house, with professions, That they would never leave the door of the house till they were satisfied in their desires: That they would not be contented with the Militia of the city of London only, unless they might have power over that of the suburbs and outparts; and all this before the Peace of the kingdom was settled, or the Propositions sent to the king for that purpose. These things ministered great cause of suspicion that this alteration of the Militia was in order to a design, and to make the terms of the Peace and Agreement with the king (on which the security of the whole kingdom and their posterity is to be bottomed) more suitable to the private bargainings and undertakings of some men, than to the public welfare of the whole kingdom in its security and prosperity, for the present and in future times. But this design discovered itself more clearly by such things as accompanied the pursuit of this Alteration of the Militia, and ensued upon the obtaining thereof: At the same time that the Alteration of the Militia was set on foot, the same persons, with as much earnestness, pressed for the Disbanding of this Army, before any thing was settled for the security and liberties of the kingdom. At the same time the Common Council was new modelled, and a lord mayor chosen that might suit with the present design in hand: at the same time (under colour of differences in some circumstances of Church-Government) it was earnestly endeavoured that such as had been constantly true and most faithful to the interest of this kingdom, should be disabled to have any employment in Church or Commonwealth either in England or Ireland: and, without any colour or pretence, divers persons were left out of the Common Council and Militia, of eminent deserts and fidelity, and others brought into their room that had either testified an ill affection, or little affection, to the parliament and their cause; and such as seemed to withdraw themselves from all employment in the beginning of this war, now, at the winding up thereof, are ambitious to thrust themselves into employments; with a design, as may justly be suspected, to frustrate and overthrow, in the close of all, the fruit and effect of all the cost and blood that hath been spent and spilt in this cause: and after that with difficulty, and not without reluctancy in the houses of parliament, they had obtained the power of the Militia of London, and also in the out-parts, for the space of one year, many chief officers and under-officers in the Trained Bands, of known trust and fidelity, were displaced, and others of more doubtful affections placed in their room; little care was taken of the honour of the parliament, which was continually trampled under foot, and their authority affronted, by every rabble of women, apprentices, reformadoes, and soldiers; which latter sort of persons were thereby so encouraged to rise higher and higher in their tumultuous carriages against the houses, till at length it is risen to the height of barbarous and monstrous violence against

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the parliament, that they might set themselves on work and the kingdom on fire again: and now at length the design appears open faced; and though the Militia be made as the principal ground of the quarrel, yet, by the late Vow and Engagement, set on foot before any Alteration of the Militia, and the pressing so much the Message of the 12th of May, and the King's coming to London to confirm the same, they shew that the Militia is desired but in order to that design, and to force the parliament, being wholly in their power, to such terms of peace as they pleased.—In the next place, when the interest of the common council, in their change of the Militia, shall be claimed as the birthright of the city of London (which they never had any colour to pretend to, saving by the indulgency of the parliament unto them since this parliament, in respect of the great use they have had of them, and the many good services they have received from them) it is time for all the kingdom to look to their birthrights, if such a claim shall be held up against both houses of parliament, That upon no occasion whatsoever, nor in no time of danger and distraction whatsoever, they may appoint those that shall have the power of the Militia of London without the consent of the Common Council, especially when as the houses shall sit under their power: The late example may evidence to all the world who shall be masters of the parliament's freedom and resolutions; and common reason will teach every man who shall be masters of the birthrights of the whole kingdom, when there shall be no army on foot, when they have the confidence to dispute for the mastery, notwithstanding such an army as this to check and balance them in behalf of the kingdom and parliament.—Lastly, The Army discerning how intimate some of the Militia were with some of the 11 accused Members; how forward they were to comply and act with them in their endeavours to raise a new war; how they made 18 or 19 Votes thereunto, together with them, in one night, all which the common-council and parliament disliked and revoked; how notwithstanding they afterwards secretly promoted their designs by private listings, which now appear to have been still working under ground:—The Army, we say, observing this, and having no more in their thoughts and desires than to settle a speedy, safe, and well-grounded Peace, and to prevent a new war, found it necessary to desire, That the Militia might be put into the hands wherein it was formerly, who had approved themselves both to the army, parliament, and kingdom, to be sober-minded men, and not given to any practices whereby a new war might be kindled; to the intent that the Army, being secured by that means from that danger, might with the more confidence retire farther from the city, enlarge their quarters for the greater ease of the kingdom, and intend wholly the settling of a sure Peace in this kingdom, and a speedy and effectual Relief of Ireland; which was almost brought to a period, and nothing in the sight of man could have hindered, but the cursed violence upon the parliament under pretence of the Militia: which, according to our desire, being restored again into the hands of the old commissioners, by an Ordinance of both houses, dated July 23: In pursuance of the aforesaid treasonable combination, several Petitions were presented to the common-council of the city of London, in the name of Apprentices and others, importing their Desires that the Militia of the city might continue in the hands of the former commissioners, according to the Ordinance of the 4th of May last: whereupon, Monday, July 26, the common-council of the city present their Petitions to both houses for changing the Militia; wherein the house of lords refuse to alter their Resolutions. The house of commons answered, They would take it into consideration next morning: notwithstanding which, the city and kingdom cannot be ignorant with what rage and insolency the tumult of Apprentices, the same day, forced both houses: They blocked up their doors, swearing they would keep them in till they had passed what Votes they pleased: They threatened the houses if they granted not their Desires; knocking, hooting, and hollowing so at the parliament-doors, that many times the members could not be heard to speak or debate; not suffering the house of commons to divide for determining such questions as were put; crying out, 'That those that gave "their Votes against them should be sent out "to them; very often and loudly crying, Agree, "agree; dispatch, we'll wait no longer;' and in this outrageous manner they continued at the house above 8 hours together, neither the city guards there present, nor the city, relieving them; by reason whereof the house was forced to vote what that rude multitude would demand, and then adjourning themselves till next morning; after which the house rising, (the Speaker and many of the members going out of the house) they forced them back again into the house, many of the Apprentices pressing in with them; where they stood with their hats on their heads, and compelled the Speaker to take the chair, and the house to vote, in their presence, what they pleased; committing many other insolences, as is published by the Speaker of the house of commons in his Declaration *, and is too well known by all then present: And during the time of this execrable violence done by the said Apprentices, Westminster-Hall and the Palace-Yard were filled with Reformadoes and other ill-affected persons designed to back them.—After this, the houses being adjourned until Friday following, upon the Thursday the Apprentices printed and posted a Paper in several places of the city, requiring all their fellows to be early at the parliament the next morning, for that they intended to adjourn by seven of the clock, and that for a month.—Thus the

* See p. 729.

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Speakers, with many of the members of both houses, were driven away from the parliament. This being the true state of things as they have broke forth within these few days, (which are so contrary to all those pretences of Peace, and detestation of a new war, of late so frequently held forth on all sides) all men may observe to what maturity the long-projected design of some men (of whom are those that are impeached by us) is now brought, and may be traced in the several steps thereof, as it hath tended to the enslaving this kingdom, and the destruction of all such well-affected people who would not comply with them therein; so as, by what is now come to light, the justness of that cause this Army had engaged themselves in, and the great and wonderful mercy of God in continuing them together, we assure ourselves, doth now clearly appear to all men's eyes and apprehensions; and will every day more and more be acknowledged, even by those that have heretofore made a question of it.—And if when this kingdom hath spent so much of its blood and treasure, hath passed through such unheard-of dangers, and overcome such difficulties so many years together, all that they must now hope for, and rest in, must only be what the king grants in his Message of the 12th of May last: and if this must be imposed upon men's judgments and consciences by an oath and vow, entered into in a tumultuous and unlawful way, and by outrage maintained, in despite and contempt of the parliament: if rather than this should not be accomplished, the parliament itself must be violated and forced into the hands of such of the members thereof as have secretly fomented and abetted these practices, to the end that these hidden councils and works of darkness might, when they come to their full birth, have the image of highest authority in the face of them, the better to gain credit thereunto, and secure the authors of them from punishment: for the evidence of all which we refer ourselves to the particulars in our Charge against the 11 Members, compared with those Passages of late broke forth, before rehearsed: Unto which we shall now only add, and leave it to the consideration of all wise and good men, with what artifice and boldness these Members have served themselves of those horrid tumults and violences of their own creating, instead of shewing their detestation of them, again to intrude themselves into the public managing of affairs, and inevitably to embroil the kingdom in a new war; which their own revenge and the compassing of their former plots and designs, makes them so greedily thirst after. If these things, we say, must be the end and upshot of all, what then remains to this poor kingdom and all true-hearted Englishmen, but to join together, as one man, with their counsels, estates, and lives, in this way, as our last refuge under God; which he, by his wise and gracious providence, hath provided and reserved, by keeping up this Army even to a miracle, so to prevent the aforesaid evils, and to procure to this dying kingdom yet a settled peace and happiness, if it be his blessed will?—These things being seriously considered by us, we have thought fit, in the name of the Army, to declare, That all such Members of either house of parliament as are already with the Army, or, for the securing of their persons, and for the ends aforesaid, are forced to absent themselves from Westminster, that we shall hold and esteem them as persons in whom the public trust of the kingdom is still remaining, though they cannot for the present sit as a parliament, with freedom and safety, at Westminster; and by whose advice and councils we desire to govern ourselves in the managing these weighty affairs: and to that end we invite them to make repair to this Army, to join with us in this great cause, we being resolved, and do hereby faithfully oblige ourselves, to stand by them therein, and to live and die with them against all opposition whatsoever; and, in particular, we do hold ourselves bound to own that honourable act of the Speaker of the house of commons, who, upon the grounds he himself expressed in his Declaration sent unto us, hath actually withdrawn himself: and hereupon we do further engage to use our utmost and speedy endeavours, that he and those members of either house that are thus inforced away from their attendance at Westminster may, with freedom and security, sit there, and again discharge their trust as a free and legal parliament; and, in the mean time, we do declare against that late Choice of a new Speaker by some gentlemen at Westminster, as contrary to all right, reason, law, and custom: and we profess ourselves to be most clearly satisfied in all our judgments, and are also confident the kingdom will herein concur with us, that, as things now stand, there is no free nor legal parliament sitting, being through the aforesaid violence, at present, suspended. And that the Orders, Votes, or Resolutions forced from the houses on Monday the 26th of July last, as also all such as shall pass in this assembly of some few lords and gentlemen at Westminster, under what pretence and colour soever, are void and null, and ought not to be submitted to by the free-born subjects of England. And that we may prevent that slavery designed upon us and the nation, and that the kingdom may be restored to the happy state of a visible government now eclipsed and darkened, we hold ourselves bound, by our duty to God and the kingdom, to bring to condign punishment the authors and promoters of that unparalleled violence done to the parliament, and, in that, to all free-born subjects of England that are, or hereafter shall be; and therefore we are resolved to march up towards London, where we do expect that the well-affected people of that city will deliver up unto us (or otherwise put into safe custody, so as they may be reserved to a legal trial) the 11 impeached Members that have again thrust themselves into the management of public affairs, by this wicked design; and that all others will give us such

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assistance therein, that the members of both houses may receive due encouragement to return to Westminster, there to sit with all freedom, and so to perform their trust as shall conduce to the settlement of this distracted kingdom; and to inflict such punishments upon those late offenders, as shall deter any for the future to make the like attempt.—We appeal to all the kingdom if we have not had a very tender care of the city of London; their commissioners will witness it; our lives have not been dear unto us for the public good; and being now resolved, by the assistance of God, to bring these delinquents to their deserved punishment, as that than which there cannot be any thing of more public concernment to the kingdom, we trust, if it shall come to that, our blood shall not be accounted too dear a price for the accomplishment of it; and if any in the city will engage themselves, against us, to protect those persons, and so put the kingdom again into a new and miserable war, the blood must be laid to the account of such persons as are the authors thereof.—And, lastly, because it is the main engine of our and the kingdom's enemies to render us odious, by possessing the minds of men that we gape only after the plunder of this great and wealthy city; as the experience of the contrary carriage in all towns that we have taken yieldeth unto us a testimony beyond the example of any Army, so we do from our hearts declare, that we abhor the thought thereof: And we doubt not but the world shall see our actions answerable to our professions, and that we shall not cause any man to suffer but by his own default; and that God will manifest we have only in our eyes that justice may have a free course, the parliament a free sitting and voting, and a full vindication of the late violence done to them.—And as for the city of Westminster, the borough of Southwark, the Hamlets, and the rest of the suburbs and outparts, as we are informed that they are not so ready to engage themselves in a new war as some would have them, so we are sensible of the hard condition they are brought into, even by them that claim a right against both houses of parliament, (a strange claim against a parliament, though more reasonable against others) not to be subjected to a Militia without their own consent; and yet will not be contented unless they may have others subjected unto them, and lay what burthens they please upon them, without allowing them any part of vote or consent with them; in which points of common right and equity we shall not be wanting, in a due way, to assist them for the obtaining of their just desires and immunities; it being our chief aim to settle Peace, with truth and righteousness, throughout the kingdom, and that none may be oppressed in his just freedom and liberties, much less the parliament itself: which being duly settled, we shall be as ready also to assure unto the king his just rights and authority, as any that pretend it never so much for the better upholding of an ill cause, and the countenance of tumultuous violence against the parliament. The which our honest, just, and necessary undertakings, as we are resolved to pursue with the utmost hazard of our lives and fortunes, so we doubt not but we shall find God's accustomed goodness and assistance with us therein, till we have brought them to a good and happy conclusion for this poor, distracted, and languishing kingdom.—By the Appointment of his Excellency sir Thomas Fairfax and his Council of War, J. RUSHWORTH, Secretary."

Sir Thomas Fairfax marches into London without Opposition; and the Citizens reverse all their late Proceedings against the Army.] The same Declaration, from the General, was sent to the city; which being backed by the whole power of the Army's encampment on Hounslow-Heath, and a party of col. Rainsborough's horse entering Southwark, and planting Ordnance against the Gate on the Bridge, the citizens were soon brought to submission; they consented to the General's Proposals, and admitted him into the city; they revoked a long Declaration published by order of the lord mayor, aldermen, and commons in common council assembled, a few days before, wherein all the present confusions were charged to the Army's account; they sent letters to the General, by a committee of aldermen and commons, to congratulate his excellency on his arrival in London; they gave orders to prepare for him a present of a bason and ewer of gold to the value of above 1000*l.* and also invited him and his officers to a splendid entertainment at the Guildhall. But the General, well knowing all this to be a forced compliment, declined accepting of these peace-offerings; giving the citizens for a reason, That the Settlement of the nation demanded his whole time and attention.*

* Mr. Ludlow makes this shrewd remark upon the behaviour of the citizens at this crisis: "The face of affairs in the City was at this time very various, according to the different advices they received; for upon the report of the advance of the Army, and the taking of some of their scouts, they cried out, 'Treat! Treat!' And at another time, being informed that men listed in great numbers, the word was, 'Live and die! Live and die!' but when Southwark had let in part of the Army, and joined with them, they returned to the former cry of 'Treat! Treat!' to which the lord mayor, aldermen, and common council consenting, were ready to admit the Army as friends, being not able to oppose them as enemies." To this Lord Hollis adds, "That, some few days after, sir Thomas Fairfax and the whole Army marched in triumph, with laurel in their hats as conquerors, through the subdued city of London, to shew it was at his mercy; which was an airy vanity, I confess above my understanding, and might have raised a spirit of indignation, not so easily to have been laid. But a higher insolency of an army composed of so

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General Fairfax receives the thanks of both Houses.] The lords, having read the foregoing Declaration from the General and his Council of War, to shew their gratitude for his signal services, voted, That they approved of it, and of all his proceedings in bringing up the Army in pursuance of those ends: that he should have the Thanks of their house for the same; and that he be desired to take care, for the future, that the parliament sit in safety and freedom, to discharge the great affairs of the kingdom, and be protected from tumults and disorders. Ordered also, That a Chair be set for him within the bar of the house, when he is called in to receive their Thanks. Accordingly the earl of Mulgrave and the lord Wharton, being appointed to go to the General and bring him to the house, he came, and was placed in a chair; when the Speaker acquainted him with the Order, and gave him Thanks in the name of the house of lords. The same was done to him also by the commons.

Ordered, "That a committee of lords may be named to meet with one from the commons, to examine into the Matter of Force and Violence done to the two houses of parliament, and to find out the persons that have been actors, abettors, contrivers, promoters, or encouragers of it; to state the matter of fact, and to report the same to the house with their opinions on it, what they think fit to be done for the vindication of the two houses, and for their future security." Agreed to by the commons.

An Ordinance was passed for making sir Tho. Fairfax constable of the Tower of London, with power to make a lieutenant under him for one year, unless both houses, in the mean time, should otherwise order.

Aug. 6. p. m. The parliament, to shew their gratitude to the Army still further, ordered a Month's Pay to be provided and freely bestowed on the non-commission officers and private soldiers of horse, foot, and dragoons of the Army.—Power was also given by the houses, to their committee, for finding out the persons concerned in the late Tumults, that they should also enquire for and find out the promoters, framers, or contrivers of the Engagement and Association, declared against by the houses the 24th of July last, or that have been engaged by it. Also to examine who have raised or acted, or endeavoured to raise, any force in maintenance of the said Engagement and Association, declared against by the houses.

All Reformado Officers and Soldiers were ordered to depart from London, and not to come within twenty miles of it.

Aug. 10. The commons sent up to the lords, an Order, That until their house had received reparation for the Force and Violence offered to both houses, they would not meddle with any particular business; which the lords also agreed to.—The commons also debated in a committee of the whole house, an Ordinance sent down from the lords, for the making void all Acts, Orders, and Ordinances, from the violence offered to the parliament till the return of both Speakers, viz. those concerning the Militia of the city of London, and the Declaration against the Engagement, with that for the King's coming: these were to be declared void for that time, a Declaration to be drawn accordingly, and these Votes to be part thereof. The house being resumed, and this report made, the question was put, Whether to agree as aforesaid? the house being divided, the numbers were 95 yeas, and 94 noes; but three members, who were present at putting the question, and yet withdrew into the committee-chamber, and affirmed they were not told, being required to vote, declaring in the negative, the Speaker gave it accordingly. —This was a remarkably full house, for the time, and shews how nearly the two parties of Presbyterian and Independent were then balanced.

The Engagement of the Members that left the Houses, and went to the Army.] Aug. 13. An Engagement of the Members of both houses that absented themselves and went to the Army, was read in the house of lords, in hæc verba:

Die Mercurii, 4to Augusti, 1647.

"We the Members of both houses of parliament, who absent ourselves from the service of the parliament, by reason of the Force and Violence thereunto offered by a tumultuous multitude, having received from his excellency sir Tho. Fairfax, a Declaration, intitled, 'A 'Declaration of his Excellency and his Council 'of War, on the behalf of themselves and the 'whole Army, shewing the Grounds of their 'present Advance towards the City of Lon-'don:' and having perused the same, we look upon it as a Declaration full of truth; the matter of fact being well known unto most of us, who have been eye and ear-witnesses thereof; full of Christian, noble, and public affection to the good, peace, and prosperity of this kingdom; full of integrity and faithfulness to the true interest of the English Nation; and full of undaunted and generous resolution to assert the honour and freedom of the parliament; and effectually to vindicate it from the force and violence whereby it hath been of late trampled under the feet of a rabble of people, unto which force it is still exposed, so as it may be exercised upon them at pleasure. And whilst the parliament remaineth in such a condition, although it be not dissolvable but by act of parliament, yet it is suspended from acting as a parliament: in all these things, and generally throughout, our sense so fully agreeth with what is expressed in that Declaration of the Army, that we cannot but receive it with much approbation, and also with great thank-

mean people, and a more patient humble submission and bearing of a great and populous city, but a little before so full of honour and greatness, was, I think, never heard of." Memoirs, p. 168.

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fulness to God in the first place; and next, under him, to this ever-faithful army, for that tender sense expressed therein of our honour and security, who absent ourselves from the parliament, in regard of that force; and for that high Engagement of the Army to live and die with us in this cause: whereupon we cannot but mutually engage ourselves, as hereby we do, to live and die with sir Thomas Fairfax and the Army, in vindication of the honour and freedom of parliament: and we cannot but observe the special providence of God in holding up so extraordinarily this Army, and reserving it to take off the reproach and scorn of this nation, and to raise up again, from the depth of contempt, that once so-much honoured and high-esteemed name of a parliament.—And whereas in the said Declaration it is desired, That we, as persons upon whom the public trust still remaineth, though, for the present, we cannot exercise the same in a parliamentary way, would advise his excellency and his council of war in such things as may be for the good of the kingdom, and for attaining the ends aforesaid; we do declare that we shall be ever ready to do it, upon all occasions, in such a capacity as we may, till we shall be enabled again to discharge our trust in a free parliament; which we conceive we can never do, until the houses of parliament may be absolute judges and masters of their own securities: and that such traiterous and audacious offenders as have endeavoured, with so high an hand, to destroy the highest authority, (as by the particulars, so fully and clearly expressed in the Declaration of the Army, may appear) shall receive condign punishment; or, at least, the parliament put in such a condition as that we may be able to bring them thereunto: and we trust in God, through his accustomed blessing upon this Army, and his assistance in their honest and just undertakings, the parliament shall speedily be put again into a condition to sit like a parliament of England: and we hope that every true hearted Englishman will put his helping hand to so necessary, so publick, and so honourable a work as is the vindicating of the freedom and honour of the parliament, and wherein the freedom and honour of all the freeborn people of this nation are involved. Manchester, Speaker of the House of Peers; Salisbury, Mulgrave, Denbigh, Kent, Northumberland, Howard, Grey of Wark, Say and Sele; William Lenthall, Speaker of the House of Commons; Philip Lisle, Thomas Grey, William Pierpoint, H. Mildmay, Nathaniel Fiennes, John Fiennes, Arth. Heslerig, Wm. Armyn, James Temple, Edmond Prideaux, Miles Corbett, John Danvers, Francis Allen, John Evelyn, George Fleetwood, George Fenwick, John Blackistone, Thomas Scott, James Scott, Major, Roger Hill, Henry Martyn, Cornelius Holland, Oliver St. John, William Lemon, William Monson, Humphry Edwards, John Weaver, John Corbett, Thomas Lister, Henry Smith, Nicholas Love, Francis Pierpoint, Henry Lawrence, Thomas Ougayne, Godfrey Bosville, Henry Darley, Thomas Boone, Peter Temple, Philip Smith, Michael Livesay, Henry Hammond, Gregory Norton, Thomas Jervoise, William Constable, William Say, Edmund Ludlow, Edward Dunch, John Bingham, Augustine Skinner, John Trenchard, Samuel Mayne, Benjamin Weston, Francis Thornhagh, Lawrence Whitaker, John Crowther, George Piggott, John Bampfield."

Aug. 18. A Letter from the Commissioners of Scotland was read, complaining of their Secretary's being stopped at Newcastle.—An Answer to this Letter was drawn up, read, and ordered to be sent to the commons for their concurrence; but it is not entered in the Journals.

Remonstrance from sir Tho. Fairfax and the Army, in Vindication of all their Proceedings.] Aug. 20. A Letter from sir Thomas Fairfax, with a Remonstrance or Declaration of the Army inclosed, was read in both houses; in hæc verba:

For the Rt. Hon. the Earl of Manchester, Speaker of the House of Peers, pro tempore.

"My lord; The tender and deep sense which myself and the Army have of the difficulties and dangers under which your lordship, with the right honourable lords, and faithful and worthy members of the house of commons, lately driven away to the Army (as also ourselves and all others that love the peace of the kingdom and freedom of parliaments, notwithstanding the said just and honourable resolutions, proceedings, and endeavours of the right honourable house of peers) do still lie under, hath produced this Remonstrance from us; whereof I have here inclosed sent your lordship a copy, and those considerations and resolutions therein expressed; which as they are, in the present case, most necessary for your lordships, ours, and the kingdom's safety, quiet, and welfare, so we hope they will appear just and honest, and accordingly be accepted and approved by your lordships, as proceeding from the hearty affections and sincere intentions of your lordship's and the kingdom's servants here, and especially of Your, &c. THO. FAIRFAX. Kingston, Aug. 19."

A REMONSTRANCE from his Excellency Sir Thomas Fairfax, and the Army under his Command, concerning their just and clear Proceedings hitherto in the Behalf of the Parliament, Kingdom, and themselves.

"At the Head-quarters at Kingston, August 18, 1647.

"When, by the blessing of God upon the endeavours of this Army and other forces of the parliament, the adverse forces and garrisons within this kingdom were dissipated and reduced, a present quiet and freedom of trade and all commerce and business restored to all parts of the kingdom, and an hopeful way made

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for settling of a sound and lasting Peace, on good terms, for the interest of the kingdom: Instead of the hoped fruit of our labours and hazards, and of the kingdom's vast expence, (in the dispensing of justice and righteousness, and the settling and upholding of common right and freedom to the subjects of this nation) we found immediately the cross workings of a strong and prevalent party in the parliament and kingdom, who (walking under the mask of the parliament's friends, but being, in truth, men of corrupt and private ends and interests, different from, and destructive to, the real and common interest of the kingdom) made use of their power to obstuct and pervert Justice, to injure, oppress, and crush the peaceable and well affected people of the kingdom; to abridge and overthrow all just freedom and liberty, and drive on designs to set up a party and faction in the parliament and kingdom, and (by the advantage of a perpetual parliament) to domineer over, and inslave the kingdom to posterity: And, for that end, to make such a peace with the king, if any, as without any just provision for the common and true interest of the people, and security thereof for the future, would serve only to make up and establish their own greatness, and the affected domination of themselves and their party over all others.—To all which ends, as, before this parliament, the ignominious names of Puritan and Nonconformist, and the specious pretences for settling of order, decency, and uniformity in Religion, were made use of, to the prejudice, trouble, and suppressing of all that appeared, either for the truth and power of Religion, or for the rights and liberties of the kingdom, and against advancing, at once, both of an ecclesiastical and civil tyranny; so this generation of men, in the application of the parliament's power, (succeeding the former in the exercise of the king's) have made use of the odious names of Brownists, Anabaptists, Independents, Heretticks, Schismaticks, or sectaries of one sort or other, to blast such men, in whom the truth and power of Religion, or a just sense of the common interest of the kingdom hath appeared; and have held forth the pretences of reformation and uniformity, to colour and countenance their designs of setting up their own irreligious or pharisaical and domineering faction, to the oppression of all other people: And herein they have had a great advantage to further their aforesaid designs, by reason of the jealousies which many conscientious men of the Presbyterian judgment have entertained concerning this Army, concerning divers other eminent and worthy instruments of the kingdom's good (being in places of public trust and power) who were supposed to be of the independent way.—In pursuance of their aforesaid designs, they endeavoured, and by their power and influence upon the parliament, and the advantage of such pretences as aforesaid, very much prevailed, to put out of all places of power or public trust, the most sober and conscientious men, and such as had approved themselves faithful to the public interest throughout all the late troubles, and to put in debauched and dissolute men, or such as would, for advantage, serve their private interests; and for that end (in cases where they could not otherwise prevail) procured such garrisons to be slighted, such powers to be recalled, though more necessary to have been continued, which they found in the hands of persons of the former sorts; and such to be continued, though less necessary, as they found in the hands of the latter. And, the better to strengthen themselves in their designs, closing with a very powerful party in the city of London, they first, with much activity, endeavoured, and prevailed, to new-model the Common Council, and form the same to their own party; and then stirred them up to petition, amongst other things concurrent to their ends, for the alteration of the city Militia, who by their continual, violent, and pressing importunity at the parliament's doors, wrung from the parliament an Ordinance for that purpose; whereby they procured the Power of that Militia (the special influence whereof upon the city and kingdom, and upon the Parliament itself, being the only guard they had for their safe sitting, is evident to all men) to be taken out of those hands in which it had been continued without prejudice, and with great and known security and advantage both to the parliament, city, and kingdom, throughout the late troubles, and this without any exception, either then or since made against them; and to be put into the hands of such others as were, at best, of doubtful affections to the interest of the parliament and kingdom; or, indeed, to men given up and engaged to the private interests and designs of the said factious party; as hath since too evidently appeared, and as in the late Declaration of the Army, concerning the Grounds of our Advance towards London, is more fully demonstrated. And finding this army not for their turns, they made it their main work to disband or break it in pieces, even before the Relief of Ireland was provided for, or the Peace of this kingdom settled.—And though all this went under the pretence of easing the present burthens of the kingdom, yet at the same time they designed and went about to put the kingdom to the expence and trouble of raising and forming a new force, under pretence as for the service of Ireland, but evidently designed, and so framed, as to serve their own ends and purposes aforesaid in England: and many of them being filled and acted with personal envy, and others with malignity of principles and interest against this Army, and the work of God by it, it would not serve their turns to break or disband it, but it must be done with all possible dishonour, injury, oppression and provocation that they could put upon it. And it was too evident that their endeavour was not only to put it off without the honour or satisfaction due to it for the service it had done, but to disband it on such terms as to subject and expose all,

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and even the most faithful, servants of the parliament and kingdom, both in the army and elsewhere, unto oppression or undoing, or to the mercy of their own and such other men's malicious and invenomed spirits which could promise no better. For the more full and particular demonstration of all which, we refer all knowing men unto the practices and proceedings against this Army, unto the times, by their procurement, appointed for the Disbanding of it in several parts, without just and equal satisfaction; which have been in part remonstrated in Papers sent from this Army, and published before our coming up to St. Alban's.—Upon consideration of all this, and upon the Resolutions (which their own abuses and provocations, put upon the Army, had raised in the whole body of it) not to disband without further satisfaction and security from the like abuses in futuro, we did, in our Representation or Declaration sent from St. Alban's, express in general what things we desired, besides our concernments as soldiers, to see done or provided for before our Disbanding, for settling the Peace of the kingdom, and securing the common Rights and Liberties thereof, which we were called out to defend and vindicate, and had so long fought for; and having therewithal, impeached several Members of the house of commons for their unjust practices and designs, to such purposes as are before expressed, and for endeavouring, in prosecution thereof, to engage this kingdom in a new war, we added some further Desires, for prevention of that mischief of a new war to the kingdom, and for our own present security from immediate ruin, while those other things might be treated on or considered; and upon the granting of some of them in part, and hopes given of some others, though we could not obtain the rest, and especially not that which we hold most just, equal, and necessary, viz. The positive Suspension of those impeached Members from sitting in the house, as judges in their own cause, and from their power in committees, whereby they have had the advantage to raise war against us, and to make new disturbances in the kingdom; yet the said impeached Members, pretending to withdraw themselves from the parliament until their causes should be heard and tried, and the house giving consent thereunto, we, out of our tenderness to parliament privileges, and our earnest desires to yield all observance to the parliament, and satisfaction to the city, (who pretended a full concurrence with us in our declared Desires for settling the Peace and Liberties of the kingdom) did, at the parliament's command and the city's request, withdraw the Army to the desired distance from London, and dispersed it further to several parts of the kingdom for the ease of the county; and proceeded, in a peaceable and regular way, to prepare and present more particular Charges against the said impeached Members, which within a few days after, we accordingly sent up to the house: and the said impeached Members (having put in a dilatory Answer thereto, with a plea and demurrer to divers particulars therein) pretended that (to avoid any disturbance or interruption to the present proceedings for settling the public affairs by the interposal of their private cause) they desired leave and passes to travel for some months; which accordingly the Speaker of the house of commons was ordered, or authorized, to give them, and we (presuming on the house's caution for their forthcoming to be tried when the affairs of the kingdom were settled, which upon their first motion of withdrawing we had insisted on) did not gainsay; and thereupon we proceeded in a quiet and hopeful way to prepare more particular Proposals, in pursuance of our former general Desires, for the present settling of the Peace of the kingdom, to be tendered to the Commissioners of Parliament residing with the Army for that purpose; but finding that, while we were thus peaceably proceeding, the said impeached Members, notwithstanding their pretended Desires to travel, did continue in and about London, very active and busy to raise war, or make disturbances in the kingdom; and that the committee of Militia there did comply with them therein, by daily listing of men, and other preparations towards war, and sheltering to that end, yea, and entertaining into service those same Reformadoes who, by Ordinance of parliament, were by them to have been put out of the lines of communication; and finding continual jealousies and disturbances to our said proceedings bred in the Army, by the daily reports and alarms thereof from the city, we made a particular Address to the parliament for the restoring of the City Militia into those hands in which it was before the Ordinance of the 4th of May last; for the reasonableness of our Desires wherein (supposing that we had such a cause to insist on some removal of that power out of the hands into which it was then put, as here before is partly expressed, and in our late Declaration is more fully set forth) we dare confidently appeal to all men, not engaged against us, whether, for the present safety and quiet of the city upon such a change, and to prevent those dangers or disturbances to or in the city, which the want of a Militia during the interval (betwixt the ceasing of one and new forming of another) might give occasion and advantage unto, especially in such a juncture of affairs, there could be any other way so expedient as to render that change but an immediate reverting into those hands in which it was so lately before, who would make up a Militia ready formed to succeed immediately in the place of the other, without any considerable intermission or delay; and whether, at a time when jealousies and distrusts were both so rife and hurtful, as they might occasion no less distraction or interruption to any quiet settlement or proceedings thereunto, than real attempts of mischief would, there could be any proposal more reasonable or hopeful to beget a confi-

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dence and acquiescence, as to that point, in the parliament, the city, and the army, than to have that power restored, for the present, into those hands, of whose fidelity to the common interest we had all found so ample and unquestioned proof throughout the most dangerous times?—Upon our Address, therefore, to the parliament for that purpose, the Army being at such distance as aforesaid, both houses were pleased on the 23d of July last, to pass an Ordinance for the returning of the Militia into those hands, and repealing the Ordinance of the 4th of May, by which it had been changed as before. —Hereupon, hoping that all would quietly succeed to a settlement in this kingdom, we went on securely to finish our Proposals for that purpose, the Heads whereof have been since published; withdrew the head-quarters to a farther distance; dispersed the Army to larger quarters, for more ease to the country; and, upon a recommendation of the business of Ireland from the parliament, we had, in less than a week's space, prepared and ordered a considerable force, no less than 4000 horse and foot, as sir John Temple, employed from the parliament about that business to us, can testify, for a present relief thereunto: But the restless and treacherous malice of the enemies to our and the kingdom's peace, taking the supposed advantage of our distance and dispersed posture, which their fair pretences of peaceable intentions had induced us into, first they did, without all colour of authority, contrive and set on foot in the city, and many of them entered into a mischievous and desperate Vow and Engagement, tending to the subversion of the Freedom of parliament, and the liberties of this nation; to the frustrating of those just and public ends, for which so much blood and treasure hath been spilt and spent in the late war, and to the raising of a new war against the parliament and their army; which said Engagement both houses of parliament did, by their Declaration of the 23d of July, adjudge and declare to be high treason in all that should promote or abet the same; and, within a few days after, to wit, on Monday July 26, there was a Petition brought to the parliament by the sheriffs, and some aldermen and common-council men, in the name of the city of London, for the recalling of the said Ordinance of the 23d of July concerning the Militia, and the returning of the Militia into those hands in which it was put by the Ordinance of the 4th of May; which Petition was immediately followed and backed with a tumultuous confluence of Apprentices, and other dissolute and desperate persons, who committed most horrid and unheard-of violence upon both houses, enforcing them to recall both the said Declaration of July 23, concerning the said Engagement, and also the said Ordinance of the same date, concerning the Militia; and compelling the Speaker of the house of commons to resume the chair after the house was adjourned, and the house to pass such farther Votes concerning the king's present coming to London, &c. as they the said rioters did please; neither the guard from the city that then attended the houses, nor the lord mayor, sheriffs, or any authority in the city, though sent to for that purpose, taking any course to suppress the said Tumult, or relieve the parliament against that violence, though it was continued for the space of 8 hours: And the houses having next day adjourned till Friday July 30, there were printed Tickets fixed upon posts in and about the city the day before, inviting the same persons to the like confluence at Westminster against the houses next meeting; all which hath been more fully, or more assuredly, made known by the Declaration of the Speaker of the house of commons concerning the same.— By this means the Speakers of both houses, together with most of the lords, and a very great number of the most faithful and unquestionable members of the house of commons, were driven away, so as they could not with safety attend their service in parliament, nor with freedom discharge their trust to the kingdom therein; but were forced to fly to their Army for safety; so as there was not, nor could then be, any free meeting or legal proceeding of parliament: Notwithstanding which, divers members of both houses (who, by the carriage and sequel of the business, will appear to be of the same party and confederacy with the aforesaid enemies to our and the kingdom's peace, and with the authors and actors both of the said treasonable Engagement and the tumultuous force upon the parliament) taking this opportunity of time to carry on their designs, when very few were left, but of their own party, did continue to meet in the usual places at Westminster: And having, under pretence of a necessity for continuing the parliament by adjournment, drawn in some few well-minded members to sit with them, out of a scruple least the parliament should fall for want of adjournment, took upon them the name of both houses of parliament: And having, on Friday, July 30, chosen a new Speaker, did proceed to vote and act as a parliament, and adjourned from time to time; but of what party and confederacy the most of them were, and to what ends and intercsts they acted, will appear by what they did; whereof we shall, for the present, give a taste in some particulars, hoping that shortly the whole Journal of their proceedings may be made public.—First, The said Members of the house of commons, convened as aforesaid, immediately voted and called in, as to the service of the house, the 11 impeached Members: and also those who, upon former Votes of the house, were suspended, or under question to be put out for delinquency, and had put in their cases. With this pretended house of commons, thus composed, and four or five lords of the same model, for a house of peers, they proceed to set up a Committee for Safety, whereof all or most of the said impeached Members were a part. This committee they appointed to join with that same pretended committee of the city

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Militia, whose power was obtained only by the tumultuous force and violence aforesaid. To these committees, the most or main of their proceedings refer; and, by divers pretended Votes, Orders, and Ordinances, procured in the name of one or both houses of parliament, larger powers were given to these two committees, for raising of forces, appointing chief commanders, and other officers; and other vast, unlimited, or unusual powers were given them; all tending to the raising and levying of a new war within this kingdom; upon which many forces, both of horse and foot, were actually levied, and other preparations of war made; All which were intended and designed in justification, prosecution, and maintenance of the aforesaid treasonable Engagement, and of the said force and violence done to the parliament, or of the very same ends and interests, and to oppose and hinder the restitution of the houses of parliament to their honour and freedom, and the advance of this their Army for that purpose, being then upon a march to conduct to London the Speakers and members of both houses, who, by that violence, were driven away as aforesaid: Besides the consideration of the persons into whose hands these powers were committed, this is abundantly evident many other ways; and especially by that Declaration of the lord mayor, aldermen, and common-council of London, which was first, by that pretended committee of safety, ordered, and then, by the pretended houses, without reading a word of it, approved, to be published in the parish churches, with an Exhortation to the people to take up arms in maintenance of the ends therein expressed; which, though the pretences were for the defence of the king, parliament, and city, then alledged to be in great danger; (when as indeed none were in danger but only the authors, actors, and abettors of the traiterous practices aforesaid) yet the true ends thereof appeared clearly to be the same with the said treasonable Engagement and Tumult against the parliament; all of them concentring, as in other things, so especially in this, viz. To have the King brought up to London, without delay, or any nearer approach of the Army. And to all these the succeeding Votes of the pretended houses, for the same thing, did speedily echo the same note. —Concerning which matters (not to examine what alteration of the case, since both houses, and both kingdoms also, of England and Scotland, resolved, That it was not safe the King should come to London, until he had given satisfaction and security to his people, in relation to those public ends for which so much blood and treasure had been spent) we shall only say thus much to these men's intentions and designs in the business, That had the king come up to London, as they have so often desired and attempted, it is apparent they intended, and would have made use of it, rather to lay the stronger foundations of a new war, (upon the ruins of that public interest contended for in the former, and of all those that had with most candor, clearness, and simplicity of heart appeared and acted for the same) than any way to settle thereby a safe and well-grounded Peace. And since they could not rationally expect so easy an obtaining of the king's person to London, upon such a pretended Vote or Declaration of their desire thereof, it is as evident that they could intend nothing thereby but a more plausible pretence and foundation of quarrel against this Army; thereby to engage or incline to their assistance the king's party, and such others as might be catched with the apprehension thereof as a speedy way to peace, the thing so generally longed for; and by such assistance gained, the better to ruin this army, and those faithful members of parliament who were retired to it.—For our parts, we shall rejoice as much as any to see the king brought back to his parliament; and that not so much in place, as in affection and agreement, on such sound terms and grounds as may render both him and the kingdom safe, quiet, and happy; and shall be as ready as any to bring his majesty to London, when his being there may be likely to produce (not greater disturbances or distractions, but) a peace indeed; and that such as may not, with the shipwreck of the public interest, be shaped and moulded only to the private advantages of a particular party or faction; but bottomed chiefly on grounds of common and public welfare and security: and if, without regard to these considerations, we would have brought his majesty with us to London, in our late advance thither, which our enemies could not hinder or prejudice us in, we had no cause to doubt, but, as to men, we might have had all the advantages which our adversaries promised to themselves thereby, added to the strength and interest of the Army; and have inverted the disadvantages upon them that they intended against us thereby, so as his majesty's so-much-desired coming to London might have been much to their prejudice, and our advantage and security, if we had regarded only our own particulars: But (as at present our consciences bear clear witness to ourselves, so) we hope God will, in the issue, make it clear to others, that we have not minded, nor been acting, our own work or interests, but the kingdom's and every honest man's in it. —Mean while, to return to our purpose, we think it sufficiently cleared, That the proceedings of those members, or the major part of them, that continued to sit at Westminster during the absence of the Speakers, the powers by them given, the forces by them levied, and other preparations of war thereupon made, were all designed and driven on in prosecution and maintenance of the said treasonable Engagement, and of the force done upon the parliament, or for the same ends and interests with them, and to oppose the advance of this Army towards London, for restitution of the parliament to honour and freedom, and indeed to raise a new war in the kingdom, against the parliament and their army, for the destruction thereof. And the same may yet further appear

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by this, that those very Apprentices, Reformadoes, and others about the city, who were the chief actors in the said Engagement and Tumult, were afterwards most trusted and employed, and most active in those preparations for war.—By what we have here said, and what hath been declared and published from us, and from the Speakers and aforesaid Members of both houses, and by the whole series of our own and our enemies actions and carriages, compared together, it may appear how tender we have been, not only of the authority and just privileges of parliament, and of the safety, peace, and welfare, both of the kingdom and the city, but even towards those our enemies themselves, seeking only things necessary for the common good of the whole, and that, if possible, without ruin or hurt to any; and yet how maliciously, treacherously, and unworthily we have that while been dealt withal by those our enemies, and by a factious and powerful party, especially in the parliament and city, combining with them; and what clear cause we have had, both for all that we have formerly desired or done, in prevention of our own ruin and the kingdom's disturbance; and also what just grounds for our late advance to London; the good service whereof, especially in restoring the parliament to a condition of safety, honour, and freedom thereby, hath been, without any seeking of ours, acknowledged by both houses, with thanks to us, and public thanksgiving to Almighty God for it; and a further trust hath been thereupon committed to the General, for taking care with his Army to safeguard the parliament.—The houses being thus restored to a condition of present safety, honour, and freedom, two things seem clearly remaining to be done, which our own, and most men's expectations are most set upon, viz. First, To vindicate the honour, freedom, and safety of parliament from the like affronts and violence in future, and the army and kingdom from danger of the like disturbances, whilst things shall be in a debate or treaty for a Settlement; and then to proceed unto a speedy settlement of the peace of the kingdom.—The latter of these is first in our intentions, being nearest to the ultimate end; and we shall earnestly desire that, in order thereunto, the Proposals of the Army, whereof the Heads are published, may be speedily considered and brought to a resolution. But considering that the debates of them may take up some time e'er they be agreed on all hands, and the framing of them into Bills, and perfecting of the same, will require much more; something must first be done in the former, for a present security to the parliament from like affronts or violence, and to the army and kingdom from the like disturbances to the peace thereof, by any farther advantage which the time like to be spent in the settling of peace may afford to our watchful, restless, and, we doubt, implacable enemies.—First, therefore, to these ends, (unless it should be thought fit to secure the parliament, by keeping the whole body of the Army, or so great a part thereof to remain continually in and about London, as might be sure to over-power any future tumults or force that may arise out of the city, which neither the welfare of the city and ease of the parts adjacent, nor the safety of the kingdom, in respect of the present posture of affairs, will admit) it is absolutely necessary that there be speedy and exemplary justice done upon, at least, the chief authors and abettors of the said treasonable Engagement, and of the said force done to the parliament, and upon the chief actors in maintenance and prosecution thereof, whereby men may be deterred from the like in the future: and this is also as necessary to the security of the army and peace of the kingdom, since it is apparent by all that hath been said, and by infinite other evidences, too many to recount, that both the said Engagement, and the force done to the parliament, and the power of the city Militia thereby gained, and the succeeding Votes and Orders of the pretended houses (but indeed of that faction that are our professed enemies) in maintenance and prosecution thereof, and the forces thereupon levied, put under the command of major-general Massey, and others our professed adversaries, were all designed and directed to the ruin and destruction of this Army, and the raising of a new war against us in this kingdom; and having had such experience of their restless malice and cruel intentions towards us, notwithstanding our tenderness and lenity towards them, and of their treacherous dealings so soon as they thought they had the advantage, notwithstanding all their semblances of compliance to a composure, what reason is there to expect but that, if, by our patience and delays, they apprehend in future the like or other advantage, they will break out again into the like or worse attempts of violence and war, if all escape with impunity for these?—But as to this point of Security by exemplary Justice in an ordinary way, we see our hopes almost frustrated; for though our Desires and Resolutions to that purpose, expressed in our late Declaration of the Grounds of our Advance towards London, were then seconded with the declared approbation and concurrent Resolutions of the Speakers and members of both houses that were driven away to the Army, and with their Engagement to live and die wtih us therein; and though in pursuance thereof, the right honourable the house of peers have, since their restitution, begun and proceeded to declare null and void all that was done in the name of both houses while they lay under the power of that tumultuous violence, and to give their more authentic approbation to our said Declaration made in behalf of the said Speakers and members while they were with the Army, and in behalf of the honour and freedom of the Parliament; and to give their like approbation to the concurrent Declaration and Engagement of the said Speakers and members made to us while they were with us; yet the house of commons hath not only not concurred with the lords in any of those things, but rather

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seem to have cast them aside; and upon the question concerning those very Votes of the said 26th of July, to which the houses were by the said violence enforced, whether they should be declared null and void, it was carried in the negative, that the question should not be put: by the consequences whereof, which are many ways very sad to this poor kingdom, and more than we can recount; and by all subsequent proceedings in that house in relation to the whole business, we clearly find that the members of that house, who, after the violence done to it, and during the absence of the Speaker and the other members thereby driven away, proceeding in the name of that house as aforesaid, procured the pretended powers, and did make the pretended Votes, Orders, and Ordinances aforementioned; and many of them were chief actors thereupon for the levying of war in prosecution and maintenance of the aforesaid treasonable Engagement and force done to the parliament, and for the opposing, resisting, and destroying of this the parliament's army in its advance to London, for the restitution of the parliament to its honour and freedom, being conscious of their own guilt and danger thereby; yet, presuming on their interest in the house, and the patience and lenity of this Army, do continue to intrude themselves and to sit and vote there; and, by their present interest in the house, do use their utmost endeavours, and very much prevail, to obstruct and avoid the bringing of any to justice who have acted under their pretended authority; knowing it to be their own case and concernment in point of impunity, as well as conducing to their faction and interest; and for that cause they labour, as for life, to uphold the things past and done, and the authorities given by them and their faction, in their and the Apprentices pretended parliament, yea even those very Votes and Authorities wrested from the parliament by that palpable force of July 26, to be good and valid until they be repealed, as if past in a free and legal parliament.—In which point, and all questions touching upon it, we find they presume upon, and are strengthened by, the concurrence of divers other Members, who having, perhaps with harmless intentions, continued to sit with them during the Speaker's absence as aforesaid, though they consented not to any of their mischievous Votes and Orders, or treasonable proceedings aforementioned, may yet fear themselves to be involved in the same case and danger, by having sat with them: and thus, by the concurrence of these two parties in the house as to that point, and the interest which both these parties have with others in the house, especially upon a matter of saving one another; and by the partial respects of some others in the house, for the saving of their friends out of the house, who have acted under the authority, and for the evil ends aforementioned, we find an absolute obstruction to the bringing to justice or questioning of any who have acted in the late levying of war against us, and against the vindication of the parliament's freedom, or in the said treasonable Engagements; yea, or in abetment of the tumultuous violence upon the parliament itself; neither can we find or hear of any one person hitherto brought to justice or question for any of those things; but all seem to be either justified, or at least protected from justice, by the power and prevalence of those members in parliament, who are, many of them, as we can make appear, equally guilty of, and, others, in some kind obnoxious for, the same thing: and thus not only our just expectations of vindication to the parliament, and security to ourselves and the kingdom from the like treasonable and turbulent practices in future, by exemplary justice for what hath been so done, are frustrated; but even the safety and immunity of the Speakers, and those faithful members of both houses that were driven away by the violence aforesaid, and the immunity of the Army in advancing to London, to bring them back and restore the parliament to its honour and freedom, which hath been acknowledged by public Thanksgiving to God for it, as aforesaid, is subjected and exposed to question; wherein theirs, and ours, and the kingdom's enemies obtrude themselves to be the judges: for if those pretended Votes, Orders, and Ordinances, whereby war was levied against them and us, were then good and valid; though they should now be repealed; yet we, with the Speakers, and those members aforesaid, in opposing of them while they were in force, must needs remain transgressors still; and yet God and we are thanked for it. What a mock is this to God and man?—But to return to the more serious consideration of our case, in relation to the Security of the Parliament, Kingdom, and ourselves, against the like turbulent and treasonable practice in future; since, by the means aforesaid, no security by exemplary justice can at present be had to deter any from the like, we wish all men to consider what straits we are in this case put upon.—That which is the main work of the kingdom, and which we most earnestly thirst for and attend upon, viz. The settling of a Peace, and consideration of our Proposals in order thereunto, will ask time to bring it to an issue; and that done, the relieving or remedying of the pressing Grievances of the kingdom will take up and require the sitting of the parliament for some further time, though, upon the settling of a peace, a period be set for the certain ending of it. Now, for the body of this Army, or so great a part of it as may serve to over-power any future tumults or force that may arise in or from the city, to continue hereabouts so long, the condition of the country round about, and the necessities of the city, in point of provision, cannot well bear it; and, we doubt, foreign forces, that are already upon the wing, and turbulent spirits, that in several parts of the kingdom are beginning insurrections if we continue fixed here, will have such opportunity, and take such encouragement therefrom, as

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that they may, e'er long, necessarily call us off. Should we now or hereafter, while the parliament sits, draw off the Army from about the city, without exemplary justice upon some, would not the same, or more dangerous, tumults and violences probably return upon the parliament; and the like, or worse, practices of raising a new war be revived, with more advantage to our enemies, more danger to us and the kingdom, and less hopes of appeasing it so easily and happily as the former, while the same violent and factious spirits, both in the parliament and elsewhere, shall continue in the same power and opportunities as formerly; and both they and all others shall have before their eyes the encouragement of that impunity and protection, yea rather that justification, which they have hitherto found from within the parliament itself in the past practices aforementioned, though as grossly treasonable as any they can hereafter run into? Should we or any others, for the obtaining of exemplary justice upon some, proceed to impeach any for their past treasonable practices, what hopes of justice or of a timely dispatch therein can we have, while such a prevailing party of men, interested and concerned in the same things, shall, in the house of commons, continue to be judges thereof; or at least be ready to avow and justify the offenders therein, as having acted under their pretended authority? In this strait therefore, though we ever have been and shall be most tender of all just privileges of parliament, yet finding the root of these and other difficulties to the parliament, kingdom, and ourselves, to lie in this, viz. That those Members of the house of commons who, during the forced absence of the Speakers of both houses, continuing to sit and act as a parliament, did procure and consent to the pretended Votes, Orders, and Ordinances aforementioned for levying of War; and that, as is before demonstrated, in direct prosecution or maintenance of the aforesaid treasonable Engagement, and the violence done to the parliament; and for the opposing, resisting, and destroying of this the parliament's army in its advance towards London, only to restore the Speakers and Members of both houses that were driven away, and the houses themselves, to their honour and freedom; and who are thereby, and by their late owning and avowing of the same, and many of them, as we can prove by acting personally in the said treasonable practices, become parties to the same, do yet take the boldness to sit and vote in parliament, especially in the house of commons. We say, finding the main root of our difficulties and dangers to lie in this,—First, we appeal to all men, Whether it be just or tolerable, that any privilege of parliament should, contrary to the law of nature, make a man judge in his own case and concernment? And we wish those men themselves to consider, if we had come to an engagement with the forces raised by virtue of their pretended Votes and Ordinances, and that thousands had been slain, and that we had made our way by the sword, Whether they would then have expected to have sat as judges on us therein? and we are sure it is no thanks to them that it hath been otherwise; and had we found those members in arms against us, and subdued and taken them, Whether had they not been in the condition of prisoners of war? And if so then, having put arms into the hands of others against us, and still maintaining it, Whether can they, in strict justice, challenge any better condition from us? But that, contrariwise, we should suffer either that those whom, by the course of war which they had chose to engage in against us, we might justly make our prisoners, should, in a course of law, become our masters and commanders; or that those who the other day did, in an hostile manner, endeavour to have been our executioners, should, now we have by force broke their preparations against us, become our judges; we suppose no reasonable man, nor themselves, when they well consider it, can expect from us.—Upon all these considerations of the justness of the cause, and the necessity of the thing, for the safety of the Parliament, Kingdom, and this Army, (having no other way left timely to remedy the difficulties we are put upon, or prevent the growing dangers of future violence unto the parliament, and disturbances to the kingdom, or to secure the parliament in a quiet proceeding to settle the Peace of the kingdom; and, in such case, the safety of the people being the supreme law) we do protest and declare, That if any of those Members, who, during the absence of the Speakers and the rest of the members of both houses, forced away by the tumultuous violence aforesaid, did sit and vote in the pretended houses then continuing at Westminster, shall hereafter intrude themselves to sit in parliament, before they shall have given satisfaction to the respective houses, concerning the grounds of their said sitting at Westminster, during the absence of the said Speakers; and shall have acquitted themselves by sufficient evidence, that they did not procure or give their consent unto any of those pretended Votes, Orders, or Ordinances, tending to the raising and levying of a war, as is before declared, or for the king's coming forthwith to London, we cannot any longer suffer the same; but shall do that right to the Speakers and Members of both houses who were driven away to us, and to ourselves with them, all whom the said other members have endeavoured, in an hostile manner, most unjustly to destroy; and also to the kingdom, which they endeavoured to embroil in a new war, as to take some speedy and effectual course whereby to restrain them from being their own, ours, and the kingdom's judges in those things wherein they have made themselves parties; by this means to make way that both they and others that are guilty of, and parties to, the aforesaid treasonable and destructive practices and proceedings against the freedom of the parliament and peace of the kingdom, may be brought to

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condign punishment; and that at the judgment of a free parliament, consisting, duly and properly, of such Members of both houses respectively, who stand clear from such apparent and treasonable breach of their trust, as is before expressed.—By the Appointment of his Excellency and the General Council of his Army. Jo. RUSHWORTH, Secretary."

The Ordinance for making void all Proceedings during the Absence of the Speakers, passes both Houses.] This day, the commons sent up another draught of an Ordinance for making void all Votes, Orders, and Ordinances, in the time of the absence of the Speakers; which, after some debate, the lords agreed to. It was in every respect answerable to that which had been brought into the house of lords before, and passed there, except in the following proviso: "Provided always, That no person shall be impeached or punished for their actings, by, or upon, or according to, the aforesaid Votes, Orders, and Ordinances, unless he or they shall be found guilty of contriving, acting, or abetting the visible and actual force aforesaid; or being present at, or knowing of, the said force, did afterwards act upon the Votes so forced; or were guilty of entering into or promoting the late Engagement for bringing the King to the city, upon the terms and conditions expressed in his majesty's Letter of the 12th of May last."—The commons had warmly debated every clause of this Ordinance: for no less than three divisions, on the Question, appear in their Journals of the 19th instant, all so equal in number, as 96 against 93, 85 against 83, and 87 against 84, before the General's Letter and Remonstrance were delivered to that house; which, after reading, silenced all their debates; and, the next day, the Ordinance was passed, as above, and sent to the lords.*

August 24. This day the house of commons were somewhat alarmed with an information that Mr. Anthony Nicholl, one of the 11 Members accused by the Army, had escaped out of the serjeant's custody. All the ports in England and Wales were ordered to be stopped, and all officers belonging to them were required not to suffer him to pass through them. Mr. Whitlocke writes, "That Mr. Hollis, sir Philip Stapylton, sir Wm. Lewis, sir Wm. Waller, sir John Clotworthy, and Mr. Long, went in one ship for France; where, soon after, that gallant gentleman, sir Philip Stapylton, died of the plague at Calais: and that some of them went into other parts, or retired to their own countries and lived privately, till they were restored to their seats in June 1648: But upon their being afterwards secluded by the Army, Mr. Hollis went to St. Mere Eglide, in Normandy, where he resided several years, and wrote his Memoirs." Thus the Army got rid of the most able managers against them; which, as Mr. Ludlow observes, "was their principal aim in their prosecution of the 11 Members."

The King removes to Hampton-Court.] Aug. 26. A Letter was read from Lord Montague, dated at Oatlands, Aug. 24, informing the lords, That, the night before, the King was pleased to tell them he intended to go this day to Hampton-Court, whither they were to attend him.

The Propositions of Peace ordered to be sent to the King.] Aug. 27. The lords and commons agreed to the Propositions for Peace, with the Addition of a proviso, after a conference, in which the latter gave the following Reasons for their insisting, tenaciously, to the Propositions as they came from them, without any further alteration: "Because it was the Resolution of both houses, with the consent of the kingdom of Scotland, to send the same Propositions now as were sent to the King at Newcastle: That great prejudice would ensue, if they were not speeded; for so much time will be elapsed, if there be any alterations in them, because they must then be sent to Scotland also, which will very much retard the settling the Peace of the kingdom." The lords debated this matter some time; but at last agreed to it, and ordered the Propositions, after having the consent of the Scots Commissioners to them, to be sent to the King.

Sept. 1. A Letter from the Scots Commissioners was read, requiring a free Passage for their Commissioners, Messengers, &c. The lords ordered this Letter to be communicated to the commons, and to desire their concurrence that the consideration of the matter of fact be referred to the members of both houses that are of the committee of both kingdoms, to consider what is fit to be done thereupon, and to make report thereof to the houses: also that the Propositions of both kingdoms, for a safe and well-grounded Peace, shall be presented to the King on Tuesday next; that the Scots Commissioners be acquainted therewith, and that they be desired to go along with such a committee of lords and commons as shall be appointed by both houses to present the same, and the concurrence of the commons to be desired herein.

A new Militia constituted in London.] The same day the sub-committee of lords and commons, appointed to examine into the Force used to the parliament, &c. made some report

* "They back this Remonstrance," says lord Hollis, "with a party of 1000 horse drawn up in Hyde-Park; Cromwell and Ireton making menacing speeches in the house, and Guards out of the Army besetting the doors and avenues. By all which means, and the terror of their surly impeaching looks, many of the Members were driven away, and the poor house forced, the 20th of August, to pass the Ordinance for declaring all Votes, Orders and Ordinances, made in one or both houses, from July 26 to August 6, null and void. And now they are a *free* parliament, or as Haslerig told them the next day, after the 11 Members were withdrawn, a *glorious* parliament, in truth, no parliament, but they are what Mr. Cromwell will have them to be." Memoirs, p. 172.

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of it to this effect: "That it is the opinion of the said committee, That a new Militia be constituted, in the city of London, by Ordinance, and only fitting persons employed in it: that the Trained Bands and Auxiliaries of the Tower-Hamlets shall be under the immediate command and power of the Constable of the Tower and his lieutenants, &c. That it be re-referred to the General and his officers to consider what constant and ordinary guard will be fit for the safety of the Tower; and, admitting the Army be removed from the city, what shall be done with the line of communication and the forts about London? That it is the opinion of the committee, in order to the safety of the parliament and city, that they should take such principal persons of the city into custody, as have had a hand in the late tumult, and have endeavoured to raise a new war: That they report the state of their misdemeanors to the houses, to be brought to speedy justice; to the end that such as are faulty may be removed, and fit persons put into such places of trust as they now enjoy. Lastly, That the houses may be moved to consider of their power, concerning the adjournment of the parliament unto some other place; for until that be declared, it is very difficult to offer what may be for their future security, otherwise than by the body of the army."

At the same time was presented to the lords the Answer of the General and his Officers to the points referred to them by this sub-committee, viz. "That as to the point concerning the Line of Communication, and forts about the cities of London and Westminster, and borough of Southwark, wherein you have asked our opinion, we answer, That we conceive it necessary that the whole line of communication, as also the forts upon and about the same, be effectually slighted, before the Army draws off from their present quarters about the city. That as to the other part, concerning the Guards at the Tower, they would send their opinion in 3 or 4 days."

Sept. 2. Pursuant to part of this advice, both houses passed an Ordinance for resettling the Militia of London, &c. in the old hands, and also to another, for effectually slighting all the works and forts about the city.

Instructions for the Commissioners of both Houses appointed to attend the King with the Propositions of Peace.] Sept. 6. A Message was brought from the commons by sir John Evelyn, desiring the lords concurrence in certain particulars: the first of these were

INSTRUCTIONS for Philip earl of Pembroke and Montgomery, Basil earl of Denbigh, Edward lord Montague, sir John Holland, bart. sir Walter Erle, sir John Cook, and sir James Harrington, knights, John Crew and Rd. Browne, esquires, or any three or more of them, appointed Committees of both houses of the parliament of England, to join with the Commissioners of the kingdom of Scotland, to present Propositions to the King's Majesty for a safe and well-grounded Peace, and to receive his majesty's Answer thereupon.

I. "You, or any three or more of you, shall present to the king at Hampton-Court, or elsewhere that the king's residence shall be, on Tuesday, being the 7th day of this instant Sept. from the lords and commons assembled in the parliament of England, the Propositions herewith sent unto you for a safe and well-grounded Peace.—II. You, or any three or more of you, are to desire from the King his positive Answer and consent to the said Propositions.—III. Any three, or more of you, are to repair to the parliament at Westminster with all speed and diligence, as soon as you, or any three or more of you, shall have received the said Answer from his majesty; in expectation of the said Answer you are not to make stay above the space of six days next after you shall receive these Instructions:—IV. But the said time of six days being expired, any three of you are forthwith, without any delay, to repair to the parliament of England, to give them an account of your proceedings.—V. And in case the Scots Commissioners be not present at Hampton-Court, or at such place where the king's residence shall be, on Tuesday the said 7th of this instant Sept. to join with you when you shall present the said Propositions to his majesty; then you, or any three or more of you are to present the said Propositions to his majesty alone, and to receive his majesty's Answer thereunto according to the preceding Instructions."

The second particular of the Message sent by sir John Evelyn, was an Order that the members of both houses, who are of the committee of both kingdoms, do meet this afternoon, and send to the Scots Commissioners to desire them to meet and give them their positive Answer concerning their joining to present the Propositions to his majesty on Tuesday the 7th of this present Sept.; the houses not intending thereby any way to prevent or delay the presenting the said Propositions, tomorrow, to his majesty. The Answer returned by the lords was, That their house agreed both to this Order and to the foregoing Instructions.

Proceedings against sir John Maynard and Mr. Glynn, two of the impeached Members.] Sept. 7. The commons ordered, that the 11 Members impeached by the Army, should each of them appear to answer such things as should be objected against them, at or before the 16th of Oct. next. Accordingly the next day, John Glynn, esq. Recorder of London, and sir John Maynard, appeared in the house of commons, when the Speaker informed them, That there had been a report made, in which were some things that highly concerned them, this being read, Mr. Glynn instantly gave a general Answer to many of the matters objected against him, and a particular one to

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others. After which, the question being put, Whether John Glynn, esq. Recorder of London, be discharged from being a member of this house? it passed in the affirmative, 58 against 52. and he was discharged accordingly. Sir John Maynard refused to answer to any of the Informations that were read against him, but prayed that he might have counsel assigned him, and withdrew. On which it was resolved, without division, "That sir John Maynard be expelled the house and committed prisoner to the Tower." Resolved also, 'That an Impeachment of High Treason be prepared and brought in against him."

The King's Answer to the Propositions of Peace.] Sept. 14. The earl of Pembroke reported to the lords that, according to the commands of both houses, he had delivered the Propositions for a safe and well-grounded Peace to his majesty, and had brought the King's Answer to them; and his lordship presented a Paper, containing a Discourse between the King and the Commissioners, both which were read as follows:

"After we had presented, and desired the King's positive Answer and consent to the Propositions, the king asked, Whether these Propositions were the same which were formerly presented to him at Newcastle? The earl of Pembroke told him, That these were the same Propositions, only that there was an Addition for the Sale of Bishops Lands, and some Alterations touching Delinquents. The king then asked, Whether the commissioners of Scotland did agree to those Propositions as they were now presented? The earl of Lauderdale answered, That those Propositions were the same that were formerly agreed on by both kingdoms; there was only an Addition for an Ordinance to be passed for the abolishing of Archbishops and Bishops, and Sale of their Lands, which, by their Instructions, they were warranted to agree to; and that they were likewise commanded to expunge such Delinquents of the Scots nation as the parliament of Scotland had taken off; particularly some persons, whose names had been given in to both houses. He said likewise, He found a proviso added; but that they had that day received a Declaration from both houses, by which it was declared, That there was nothing therein contained disagreeable to the former Propositions, saving only in the matter of Fines and Compositions of Delinquents. Upon which his lordship said, They did concur in presenting those Propositions. The king then replied, That he was somewhat surprised with them, not looking now for them; but he would give an Answer to them as soon as he could. Upon Thursday about ten of the clock, his majesty sent us word, that he would be ready to give his answer to the Propositions about 4 in the afternoon, and commanded us then to attend him, which we did accordingly; when his majesty told us, That if this were a time for complaint, he might well complain that he had sent many Messages to the houses, to which he had received no Answer at all: But it now being a time, said he, for every one to endeavour to do all the good he can; therefore he had, in as short a time as he could, prepared his Answer to the Propositions; which, he took God to witness, was such as, in his opinion, led to the best way for settling of an happy and speedy Peace in these nations: if it were not so in every man's opinion, his majesty wished we might all be charitable to one another; and so delivered the Answer to us; which, after we had read amongst ourselves, the earl of Pembroke, with the rest of the Commissioners, repairing to the king, desired his majesty's positive Answer and consent to the Propositions: to which the king replied, That what he had delivered to us was his Answer; and that he could give no other, which he conceived was a positive Answer:

"C. *R.* Hampton-Court, Sept. 9.

"His majesty cannot chuse but be passionately sensible, as he believes all his good subjects are, of the late great distractions, and still languishing and unsettled state of this kingdom; and he calls God to witness, and is willing to give testimony to all the world, of his readiness to contribute his utmost endeavours for restoring it to a happy and flourishing condition. His majesty having perused the Propositions now brought to him, finds them the same in effect, which were offered to him at Newcastle: to some of which, as he could not then consent, without violation of his conscience and honour, so neither can he agree to others now; conceiving them, in many respects, more disagreeable to the present condition of affairs than when they were formerly presented unto him, as being destructive to the main principal interests of the Army, and of all those whose affections concur with them. And his majesty having seen the Proposals of the Army to the commissioners from his two houses residing with them, and with them to be treated on, in order to the clearing and securing of the Rights and Liberties of the kingdom, and the settling of a just and lasting Peace: to which Proposals, as he conceives his two houses not to be strangers, so he believes they will think with him, that they much more conduce to the satisfaction of all interests, and may be a fitter foundation for a lasting Peace, than the Propositions which at this time are tendered unto him.—He therefore propounds, as the best way in his judgment, in order to a Peace, that his two houses would instantly take into consideration those Proposals upon which there may be a Personal Treaty with his majesty, and upon such other Propositions as his majesty shall make; hoping that the said Propositions may be so moderated in the said Treaty as to render them the more capable of his majesty's full concession; wherein he resolves to give full satisfaction to his people for whatsoever shall concern the settling of the Protestant Profession, with liberty to tender consciences, and the securing of the laws, liberties, and properties of all his subjects, and the just privileges of parliaments for the future: and likewise by his present de-

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portment in this Treaty, he will make the world clearly judge of his intentions in matters of future government: in which Treaty his majesty will be well pleased, if it be thought fit, that commissioners from the Army (whose the Proposals are) may likewise be admitted.—His majesty therefore conjures his two houses of parliament, by the duty they owe to God and his majesty their king, and by the bowels of compassion they have to their fellow-subjects, both for the relief of their present sufferings, and to prevent future miseries, that they will forthwith accept of this his majesty's offer, whereby the joyful news of Peace may be restored to this distressed kingdom. And for what concerns the kingdom of Scotland, mentioned in the Propositions, his majesty will very willingly treat upon those particulars with the Scots Commisssoners, and doubts not but to give reasonable satisfaction to that his kingdom."

Letter from sir T. Fairfax, desiring a Restraint of the Press.] Sept. 21. A Letter from sir T. Fairfax was read, addressed to the Speaker of the house of lords:

"My lord; I have inclosed some printed Pamphlets, which are not only very scandalous and abusive to this Army in particular, but indeed to the whole kingdom in general; my desire is that these, and all of the like nature, may be suppressed for the future; and yet (that the kingdom's expectation may be satisfied, in relation to intelligence, till a firm Peace be settled, considering the mischiefs that will happen by the poisonous writings of evil men sent abroad daily, to abuse and deceive the people) that, if the house shall see it fit, some two or three sheets may be permitted to come forth weekly, which may be licensed, and have some stamp of authority with them: And in respect the former licenser, Mr. Mabbot, hath approved himself faithful in that service of licensing, and likewise in the service of the houses and of this army, I humbly desire that he may be restored and continued in the same place of licenser, &c. Your's, Tho. Fairfax. Putney, Sept. 20.

Pursuant to this Letter an Ordinance was ordered to be drawn up for restraining the Liberty of the Press, which we shall meet with in the sequel.

Sept. 22. The parliament had another great alarm given them on the side of Ireland: they had intelligence sent them that the lord Inchiquin, their general, and col. Jones, who had gained the last victory over the rebels, had a design to join with the Scots Army there; and, altogether, to declare for the king, parliament, and Covenant, and resist the English Army.

Sir John Gaire, Lord Mayor of London, impeached of High Treason.] Sept. 27. A message was brought up from the commons, by sir Peter Wentworth and others, "That he was commanded by the knights, citizens, and burgesses of that house, to impeach sir John Gaire, knt. now lord mayor of London, of High Treason; and he did, in their names and of all the commons of England, impeach sir John Gaire, knt. of the same: That the house had already secured him in the Tower of London; and they desired their lordships would appoint a speedy day, and they would be ready to bring up their Articles, Proofs and Evidences against him." An Order from both houses was sent to the city, to elect another Lord Mayor in the room of sir John Gaire. Accordingly, alderman John Warner was elected into that office.

Ordinance for restraining the Liberty of the Press.] Sept. 30. Both houses passed an Ordinance against unlicensed and scandalous Pamphlets, and for the better regulating of Printing; of which the following is an abstract:

"The lords and commons in parliament assembled, taking notice of the many seditious, false and scandalous Pamphlets daily printed and published in and about London and Westminster, and thence dispersed into all parts of this realm, and other parts beyond the seas; to the great abuse and prejudice of the people, and unsufferable reproach of the proceedings of the parliament and their army: For the better Suppression thereof and Prevention of the like inconveniences for the time to come, do order and ordain. I. That what person soever shall make, write, print, publish, sell, or utter, any Book, Pamphlet, Treatise, Ballad, Libel, or Sheet of News, whatsoever, or cause so to be done, except the same be licensed by both or either house of parliament, or by such persons as shall be thereunto authorized by one or both houses of parliament, with the name of the author, printer and licenser thereunto prefixed, shall, for every such offence, suffer, pay, and incur the punishment, fine, and penalty hereafter mentioned, viz. The maker, writer, or composer of any such unlicensed Book, &c. shall forfeit and pay 40s. or be imprisoned in the common goal for the county or liberty where the offence is committed, or the offender shall be found, until he shall pay the sum, so that the said imprisonment exceed not 40 days. The printer to pay 20s. and suffer the like imprisonment till he pay the same, the said imprisonment not to exceed 20 days; and likewise to have his press and implements of imprinting seized and broken in pieces. The bookseller or stationer to forfeit and pay 10s. or to be imprisoned in like manner till he pay the same, the imprisonment not exceeding 10 days: and the hawker, pedlar, or ballad-singer to forfeit and lose all his books, pamphlets, or printed papers exposed to sale; and also to be whipped as a common rogue in the liberty or parish where the said offender shall be apprehended, or the offence committed. II. The several and respective commissioners for the Militia, in London, Middlesex, and Surrey, and all mayors and other head-officers of corporations, and all justices of the peace of the several counties, cities, and liberties in England and Wales, and every of them, in

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their respective liberties and jurisdictions, are hereby authorized and required to put this Ordinance in execution; and all constables, headboroughs, and other officers, are hereby authorized and required to put this Ordinance in execution; and, together with such assistance as they shall call unto them, to enter into any shop or house where they shall be informed, or have good cause to suspect, any such unlicensed pamphlets or papers are printed or sold, and to seize the same, and likewise all presses and implements of printing, and to bring them, together with the offenders, before the said commissioners, mayors, &c. or any one of them; so that the fines, pains and penalties before-mentioned may be inflicted upon the offenders, according to the intent and meaning of this Ordinance. III. The view of any one justice of the peace, head-officer, or commissioner aforesaid, or the oath of one credible witness, (which oath, in such case, they are hereby authorized to administer) shall be a sufficient conviction of any offender in the cases before recited; and the same justices of the peace, mayors, &c. have hereby authority to dispose of one moiety of the fines paid by virtue of this Ordinance, to the collectors of the poor for the liberty or parish where the offence is committed, and the other moiety to the person who shall discover and prosecute the said offenders. IV. All persons acting any thing by virtue of this Ordinance shall be indemnified by authority of both houses of parliament. Provided always, That the penalties in this Ordinance expressed, shall not extend to acquit any person that shall make, write, print, publish, or sell, or cause to be so done, any Books, &c. that shall contain any seditious, treasonable, or blasphemous matter; but the offenders in that kind shall be liable to such further penalties as, by the laws of this land, are provided, or by authority of parliament shall be adjudged, according to the penalty of such offences."

In pursuance of this Ordinance, Mr. Gilbert Mabbot was appointed Licenser of the Press, upon the recommendation of sir Thomas Fairfax, in his letter of the 20th of this month.

The Parliament resolve to make another Application to the King.] The commons sent up a Vote they had made, That the parliament should, once again, make Application to the King for those things which the houses judge necessary for the welfare and safety of the kingdom. Agreed to by the lords. But this Vote was first strongly debated in the commons, though, upon the question, it was carried by a large majority of 70 against 23.

Oct. 1. Pursuant to this Vote, an order was made to acquaint the Scots Commissioners with it; and that, in order to perfect it, both houses had taken into consideration what things to propound and insist upon for the interest of the kingdom of England, which they hoped to have finished in 20 days; and that then the houses would impart the particulars of them to those Commissioners. In like manner the parliament would join with the Scots in insisting on the same things for the good of their kingdom, which were in the last Propositions, unless the Estates there had agreed, or shall agree, to any alterations: and if any such be made, the houses desired to hear of them within the time limited, that no more time may be lost in sending of them all together to the king.

The parliament also, at this time, passed an Ordinance for disabling Delinquents from bearing any office, or having any voice or vote in the election of any mayor, recorder, sheriffs, aldermen, &c. in any city, borough, or town corporate, universities, or other place in the kingdom of England or dominion of Wales.

Oct. 8. Information was given to the lords, That whereas divers Ordinances had passed both houses of parliament for the regulating the university of Oxford, and they had granted a commission, under the great seal of England, for that purpose; yet Dr. Fell took the boldness upon him to execute the vice-chancellor's place, disobeying all Ordinances and powers of the parliament; speaking insolent words against them; wondering what great seal it is the commission was sealed with, and questioning how the parliament came by a great seal. Whereupon the lords declared the said Dr. Fell to be no vice-chancellor of that University, and ordered that he should be sent for as a delinquent, to answer the same at the bar of that house.

A Day appointed for the Trial of the seven Peers impeached by the Commons.] Oct. 14. All this while the Impeachment of the house of commons against the seven Lords had laid dormant in that house, and no farther notice is taken of it in their Journals, than what is before given; till this day we find that a Message from the commons was sent up, declaring, "That having long since brought up an Impeachment of High Treason, against James earl of Suffolk, Theophilus earl of Lincoln, James earl of Middlesex, George lord Berkely, Francis lord Willoughby, John lord Hunsdon, and William lord Maynard, they desire their lordships would please to appoint a time when the house of commons should bring up their Proofs against them." The Answer was, That the lords appoint that day fortnight for the purpose.

A Call of both Houses.] Oct. 15. The lords ordered, That such of their Members as were within 20 miles of London, should be summoned to attend the house the 19th instant; and those lords, which were further off, to attend on that day fortnight; their Answers to be returned to the house; and all such lords as were then in town not to be absent without sufficient excuse be made for them. The commons had a Call of their house some days before this; when it appearing that about 240 of their members were absent*, a fine of 20*l.*

* Their Names are all entered in the Commons Journals, October 9, 1647.

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a-piece was set upon those whose excuses were not allowed: a second Call was ordered, and the members to be summoned.

Oct. 15. The lords having, for several days, debated the new Propositions to be sent to the King; this day they were perfected, and all the separate Articles of them agreed to by that house. The commons had several divisions on different points in these Propositions; particularly, Oct. 13, no less than three on the single Article of limiting the time of the Settlement of Presbyterian church-government in England. The latter of which, on the question, Whether it should be for 7 years? was carried in the negative, by 41 against 33. It was then resolved, That the time should be to the end of the next session of parliament after the end of this. They sent this day also to let the commons know it was their opinion a committee of both houses should be appointed, to join with the Commissioners of Scotland, to carry the Propositions to the king; to enforce, by reasons and arguments, the justness and necessity of his majesty's giving his consent unto them; and, humbly, to desire and insist upon his positive Answer and consent, and to return to the houses within ten days.

Nov. 3. The commons, according to order, had a second Call of their house; but, before it, the question was put, Whether such members as did not appear at the Call, and were not excused, should forfeit 20*l.* it passed in the negative, 152 against 112, in all 264, the largest number we have noted for some years; though on a division the very next day, the numbers were only 43 against 41.

A Letter to the Parliament from the Scots Commissioners, pressing for a Personal Treaty with the King.] Nov. 6. A Letter from the Scots Commissioners, to the Speaker of the house of commons, was read:*

"Sir; As upon the removal of his majesty from Holdenby, against his will, by a party of the army under the command of sir Tho. Fairfax, we expressed our sense, and the resentment of the kingdom of Scotland, of that violent action: so the Committee of Estates of the parliament of Scotland, finding that his majesty is still kept within the power of that Army, thought themselves bound to endeavour to know the certainty of his condition. In obedience to their commands we applied ourselves to his majesty, that from himself we might know the truth thereof; who was pleased to shew us his usage ever since he came from Newcastle; but for his present condition, he really professeth he cannot but refer us to know it from the two houses of parliament and the army.—Both houses, by many professions and engagements, have declared to the kingdom of Scotland that they would take care of the preservation of his person, his just power and greatness, which both kingdoms have sworn not to diminish; and the parliament of Scotland, upon the king's going to Holdenby, did declare against all harm, prejudice, injury, or violence to be done to his royal person. Therefore in pursuance of the trust committed to us, we make this address to the honourable houses; conceiving it needless to apply ourselves to the army, who, we suppose, are or ought to be under their command; desiring to know from them the certainty of his majesty's condition; and the rather, for that we are informed there are intentions in the army for removing him from Hampton-Court.—The kingdom of Scotland finding that their stability and happiness doth so much depend upon the safety and preservation of his majesty's royal person: and being resolved that no alteration of affairs shall ever separate them from the duty and allegiance they owe unto his majesty, nor from their constant resolution to live in all loyalty and obedience under his government, have often shewn their earnest desires, and contributed their utmost endeavours, towards the composure of these unhappy differences:* and the houses of parliament having, by their Votes of the 28th Oct. last, intimated unto us their resolution to apply themselves to his majesty, and that they are preparing Propositions to be tendered to him; we desire that they may be expedited and communicated to us, that, according to our many engagements and relations, there may still be a conjunction of councils in those things that are for the common peace and joint interest of both kingdoms.—And for the better asserting them, for clearing of his majesty's doubts, and for giving and receiving mutual satisfaction, we do desire, in the name of the kingdom of Scotland, that there may be a Personal Treaty with his majesty, as the best and readiest means to obtain the joint desires of both kingdoms; and, for that effect, that the king might be invited to come to London, with the honour, freedom,

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* "No men," observes lord Clarendon, "were fuller of professions of duty, and a resolution to run all hazards, then the Scottish Commissioners, who, from the time they had delivered up the King, resided at London with their usual confidence, and loudly complained of the presumption of the Army in seizing upon the person of the King; insinuated themselves to all those who were thought to be most constant, and inseparable from the interest of the crown, with passionate undertaking that their whole nation would be united, to a man, in any enterprise for his service. And now, from the time his majesty came to Hampton-Court, they came to him with as much presumption as if they had carried him to Edinburgh; which was the more notorious, and was thought to signify the more, because their persons were known to be most odious to all the great officers in the Army, and to those who now governed in the Parliament." Vol. 5. p. 71.

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and respect due to his majesty; or at least remain at Hampton-Court, and not to be under the power and restraint of the soldiers, where both kingdoms may make their free applications to him without any danger of such stop or affront as hath been already committed against a commissioner of Scotland, for which no reparation hath been yet made, and that his majesty be no more carried about with the army at their pleasure. These we conceive to be the most probable and effectual means for attaining a happy Peace, and settling of Religion, restoring his majesty to his just Rights, and continuing and strengthening a good understanding betwixt these kingdoms, which are most earnestly desired by the kingdom of Scotland; and shall be constantly and faithfully endeavoured by Your, &c. Loudon, Lauderdale, Cha. Erskine, H. Kennedy, Rob. Barclay. Worcester House, Nov. 5."

The lords ordered that this Letter should be referred to a committee of their house, to consider of an Answer to it; and to send to the commons to desire they would appoint a proportionable number of their members to join with them therein.

Nov. 9. According to former Order, the house of lords was called over; and the gentleman-usher gave an account that all the lords, then absent, had notice given to attend the house according to order: on which it was agreed to set a Fine of 100*l.* on each of them that had been summoned and did not appear, unless some affidavit was made that they were not able to attend by reason of ill health. The aforesaid Fine to be estreated in the Exchequer, unless cause be shewn to the contrary, within a week. But, amongst all the peers, there was only the lord Herbert of Cherbury fined; and he making his excuse next day, that his ill state of health would not permit him to attend the service of the house, the Fine was remitted, and he had longer time given him; as there was to the rest of the absentees, which were no more than four lords, some to a longer and others to a shorter date.

Nov. 10. On this day it was that the commons sent up the Preamble to the Propositions finally concluded, which was read in these words: "The lords and commons assembled in parliament do declare, That the king of England, for the time being, is bound in justice, and by the duty of his office, to give his assent to all such laws as, by the lords and commons in parliament, shall be adjudged to be for the good of the kingdom, and by them tendered unto him for his assent; and, in pursuance thereof, do offer the ensuing Propositions to his majesty, to be made laws, for a present settling of a well-grounded Peace."

The King escapes from Hampton-Court.] Nov. 12. This day both houses were alarmed with intelligence from the lord Montague, That the King had escaped the night before from Hampton-court; and that the following Papers, all of his own hand-writing, were found upon the table in his chamber. And first, was read his majesty's Letter to the lord Montague, one of the parliament's commissioners appointed to attend him.

"Hampton-Court, Nov. 11, 1647.

"Montague; First I do hereby give you, and the rest of your fellows, thanks for the civilities and good conversation that I have had from you. Next I command you to send this my Message, which you will find upon my table, to the two houses of parliament; and likewise to give a copy of it to col. Whaley, to be sent to the general. Likewise I desire you to send all my saddle-horses to my son the duke of York; as for what concerns the resolution I have taken, my declaratory Message says so much that I refer you to it; and so I rest, your assured friend, CHARLES *R.*"

The King's Message to the Parliament, on that Occasion.] Next the King's Message was read:

For the SPEAKER of the House of Lords, pro tempore, to be communicated to the Lords and Commons in the Parliament of England, at Westminster, and to the Commissioners of the Parliament of Scotland, and to all my other Subjects, of what degree, condition or calling, soever.

"C. *R.* Hampton-Court, Nov. 11.

"Liberty being that which in all times hath been, but especially now is, the common theme and desire of all men, common reason shews that kings, less than any, should endure captivity; yet I call God to witness with what patience I have endured a tedious restraint; which, so long as I had any hopes that this sort of my suffering might conduce to the Peace of my kingdoms, or the hindering of more effusion of blood, I did willingly undergo; but now finding, by too certain proofs, that this my continued patience would not only turn to my personal ruin, but likewise be of much more prejudice than furtherance to the public good, I thought I was bound, as well by natural as political obligations, to seek my safety, by retiring myself, for some time, from the public view both of my friends and enemies. And I appeal to all indifferent men to judge, if I have not just cause to free myself from the hands of those who change their principles with their condition, and who are not ashamed openly to intend the destruction of the nobility, by taking away their negative voice, and with whom the Levellers doctrine is rather countenanced than punished: and as for their intentions to my person, their changing and putting more strict guards upon me, with the discharging most of all those servants of mine who formerly they willingly admitted to wait upon me, do sufficiently declare. Nor would I have this my retirement misinterpreted; for I shall earnestly and incessantly endeavour the settling of a safe and well-grounded Peace wherever I am, or shall be; and that, as much as may be, without the effusion of more Christian blood; for which how many times have I desired, pressed to be heard, and yet no ear

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given to me? And can any reasonable man think that, according to the ordinary course of affairs, there can be a settled Peace without it, or that God will bless those who refuse to hear their own king? Surely no. Nay, I must farther add, that, besides what concerns myself, unless all other chief interests have not only a hearing, but likewise just satisfaction given unto them, (to wit the Presbyterian, Independants, Army, those who have adhered to me, and even the Scots) I say there cannot (I speak not of miracles, it being, in my opinion, a sinful presumption, in such cases, to expect or trust to them) be a safe or lasting peace. Now as I cannot deny but that my personal security is the urgent cause of this my retirement, so I take God to witness, that the public peace is no less before my eyes; and I can find no better way to express this my profession, (I know not what a wiser man may do) than by desiring and urging, that all chief interests may be heard, to the end each may have just satisfaction. As for example; the Army (for the rest though necessary, yet, I suppose, are not difficult to content) ought, in my judgment, to enjoy the liberty of their consciences, and have an act of oblivion or indemnity, which should extend to the rest of my subjects; and that all their arrears should be speedily and duly paid, which I will undertake to do, so I may be heard, and that I be not hindered from using such lawful and honest means as I shall chuse. To conclude: let me be heard with freedom, honour, and safety, and I shall instantly break through this cloud of retirement, and shall shew myself really to be *Pater Patriæ.*"

Then a Letter of the King's to colonel Whaley was read.

"Hampton-Court, Nov. 11, 1647.

"Colonel Whaley; I have been so civilly used by you and major Huntingdon, that I cannot but, by this parting farewell, acknowledge it under my hand; as also to desire the continuance of your courtesy, by your protecting my household stuff and movables of all sorts, which I leave behind me in this house, that they be neither spoiled nor embezzled; only there are three pictures here, which are not mine, which I desire you to restore; to wit, my wife's picture in blue, sitting in a chair, you must send to Mrs. Kirk; my eldest daughter's picture, copied by Belcam, to the countess of Anglesea; and my lady Stanhope's picture to Carew Rawleigh. There is a fourth picture, which I had almost forgot; it is the original of my eldest daughter, (it hangs in the chamber over the board next to the chimney) which you must send to my lady Aubigney. So, being confident that you wish my preservation and restitution, I rest Your Friend, CHARLES *R.*—P. S. I assure you that it was not the Letter you shewed me to-day that made me take this resolution, nor any advertisement of that kind; but I confess that I am loath to be made a close prisoner, under pretence of securing my life. I had almost forgot to desire you to send the black-grey bitch to the duke of Richmond."

Anonymous Letter to the King advising his Escape.] The Letter to the King above referred to, was read, subscribed only with E. R.

"May it please your majesty; In discharge of my duty, I cannot omit to acquaint you, that my brother was at a meeting last night, with eight or nine of the Agitators; who, in debate of the obstacles which did most hinder the speedy effecting of their designs, did conclude it was your majesty, and so long as your majesty doth live you would be so; and therefore resolved, for the good of the kingdom, to take your life away; and that to that action they were well assured that Mr. Dell and Mr. Peters, two of their preachers, would willingly bear them company; for they had often said to these Agitators, your majesty is but as a dead dog. My prayers are for your majesty's safety, but do too much fear it cannot be whilst you are in those hands. I wish with all my soul that your majesty were at my house in Broad-Street, where I am confident I could keep you private till this storm was over; but beg your majesty's pardon, and shall not presume to offer it as advice; it is only my constant zeal to your service, who am Your majesty's dutiful Subject, E. R."

The Speaker acquainted the house with a Letter he had received from lieut. gen. Cromwell, that the King went last night, with nine horses, over Kingston Bridge.

Ordered, That the King's Letter to the lord Montague, and his majesty's Message, be communicated to the house of commons. The lords also declared that they were fully satisfied that the lord Montague had, with all fidelity and diligence, performed the trust wherein he was employed by both houses, in attending on the king at Hampton-Court; and that this accident of the king's going from Hampton-Court did no way reflect upon his integrity, neither his lordship nor the rest of the commissioners having the command of the guards there.

Nov. 13. Col. Whaley made a Narrative to the lords, concerning his guarding of the King, and the manner of his majesty's Escape from Hampton-Court. Afterwards the Speaker, in the name of the house, gave the colonel this Answer, "That the lords were fully satisfied with his free and ingenuous Relation, and also with his former faithful service, especially with his carriage in this business, for which the house did give him thanks."

A Letter from the Scots Commissioners was read, directed to the Speaker of the house of lords.

"Right Honourable; Nov. 13, 1647.

"This morning we have heard a report that his majesty is gone from Hampton-Court; therefore we have thought it incumbent on us to desire that both houses would make known to us the certainty thereof, to the end we may be the better enabled to give an account to the kingdom of Scotland; and so we rest, Your, &c."

Another Letter, directed as before, from sir Thomas Fairfax, was read:

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"My lord; This morning col. Whaley hath been with me, and given me an account, as far as yet he understandeth, of all circumstances appearing about the King's going away: all which the commissioners of both houses, as he saith, do know as fully as he; and therefore they being, as he foretelleth me, gone to acquaint the houses therewith, I forbear, for this day, to command his attendance on the houses; especially in regard that there is yet some need of the continuance of his guard and care at Hampton-Court, for the safe keeping of those whom he hath secured, to be examined concerning the King's Escape; about whom I desire the houses would take some Order what should be done with them, for the examination of them or otherwise. I shall tomorrow go to Ware, according to former resolution, to rendezvous the Army, and shall be there until Monday towards night, to receive your commands. Your, &c. T. FAIRFAX. Putney, Nov. 13"

The Commons declare it High Treason to conceal the King's Person.] On the day the first news of the King's Escape came to the house of commons, a question was proposed, That what person soever should harbour or conceal the King's Person, or know of any that did, and shall not reveal it immediately to the Speakers of both houses, should be proceeded against as a traitor to the commonwealth, forfeit his whole estate, and die without mercy. There were two divisions on this question; the first, Whether it should be now put? which was carried by 58 against 48; then the main question being put, it passed in the affirmative, 61 against 50.

Col. Hammond sends Advice of the King's Arrival in the Isle of Wight.] Nov. 15. But the houses were not long in suspence, for this morning, a Letter from col. Hammond, governor of the Isle of Wight, was received by the Speaker, and read in these words:

"My lord; I hold it my duty to give your lordship an Account of the King's unexpected coming into this Island, and of the manner of it; which was thus: This morning, as I was on the way passing from Carisbrook-Castle to Newport, Mr. Ashburnham and sir John Berkley overtook me; and, after a short discourse, told me, That the King was near, and that he would be with me that night; that he was come from Hampton-Court upon information that there were some intended to destroy his person, and that he could not with safety continue any longer there; and that finding his case thus, he chose rather to put himself in my hands (being a member of the Army, whom, he saith, he would not have left could he have had security to his person) than to go to any other place. Being herewith exceedingly surprized at present, I knew not what course to take; but, upon serious consideration, weighing the great concernment that the person of the king is of, in this juncture of affairs, to the settlement of the Peace of the kingdom, I resolved it my duty to the king, to the parliament, and kingdom, to use the utmost of my endeavours to preserve his person from any such horrid attempt, and to bring him to a place of safety; where he may also be in a capacity of answering the expectation of parliament and kingdom, in agreeing to such things as may extend to the settlement of those great divisions and distractions abounding in every corner thereof. Hereupon I went immediately with them over the water, taking capt. Basket, the captain of Cowes-Castle, with me, and found the king near the water side: and conceiving myself no way able to secure him there, I chose, he desiring it, to bring him over into this Island, where he now is.—My lord, my endeavours, as for my life, shall be to preserve and secure his person. And I humbly desire I may receive the pleasure of the parliament in this great and weighty matter; and that the Lord will direct your councils to his glory and the kingdom's good and peace, shall be my prayer; and my endeavour shall ever be to express myself, in all things in my power, Your, &c. Robert Hammond. Cowes, Nov. 13."

A committee of both houses was appointed to meet that afternoon, and consider what was fit to be done with the Person of the King, and report the same, that orders might be sent down to col. Hammond accordingly.*

* The following succinct account of the King's Escape from Hampton-Court is given by Mr. Hume: "Intelligence being daily brought to the King, of menaces thrown out by the Agitators, he began to think of retiring from Hampton-Court, and of putting himself in some place of safety. The guards were doubled upon him: the promiscuous concourse of people restrained: a more jealous care exerted in attending his person: all, under colour of protecting him from danger; but really with a view of making him uneasy in his present situation. Their artifices soon produced the intended effect. Charles, who was naturally apt to be swayed by counsel, and who had not access to any good counsel, took suddenly a resolution of withdrawing himself, tho' without any concerted, at least any rational, scheme for the future disposal of his person. Attended only by sir John Berkeley, Ashburnham, and Leg, (11th Nov.) he privately left Hampton-Court; and his escape was not discovered till near an hour after; when those who entered his chamber found on the table some letters directed to the Parliament, to the General, and to the Officer who had attended him. All night he travelled through the Forest, and arrived next day at Titchfield, a seat of the earl of Southampton's, where the countess dowager resided, a woman of honour, to whom the King knew he might safely intrust his person. Before he arrived at this place, he had gone to the sea-coast; and expressed great anxiety, that a ship which he seemed to look for, had not arrived; and thence Berkeley and Leg, who were not in the secret, conjectured,

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General Fairfax's Letter concerning a Mutiny in the Army.] Nov. 16. A Letter from sir Tho. Fairfax was read in the house of lords, addressed to their Speaker:

"My lord; I rendezvoused this day 3 regiments of foot and 4 of horse, viz. of horse, my own regiment, col. Rich's, col. Fleetwood's, and col. Twisleton's; and of foot, my own regiment, col. Pride's, and col. Hammond's. When they appeared all at the place of rendezvous, I tendered to them, and had read at the head of every regiment, this inclosed Paper, which was very acceptable to them, and to which they have given very full and ready concurrence, professing readiness to serve you and the kingdom; which I hope will be constantly and honestly by them performed; and I cannot but attribute great acknowledgment to Almighty God, in making these poor men so unanimous, in such things as I think do, and will, conduce to an happy settlement of this poor kingdom.—They profess likewise an absolute submission and conformity to the antient discipline of the Army, by which I hope to order it to your satisfaction; there came thither also two regiments without orders, viz. col. Harrison's, of horse; and col. Lilburne's, of foot. These two had been very much abused and deluded by the agents who had their intercourses at London, and were so far prevailed withal that, when they came into the field, they brought with them, in their hats, a Paper commonly called 'The Agreement of the People,' being very much inflamed towards Mutiny and Disobedience; but truly I perceived the men were merely cozened and abused with fair pretences of those men which acted in the London councils; for col. Harrison's regiment was no sooner informed of their error, but, with a great deal of readiness and chearfulness, they submitted to me, expressing the same affection and resolution of obedience with other regiments; and I believe you will have a very good account of them for time to come. As for col. Lilburne's, they were put into those extremities of discontent, that they had drawn away almost all their officers; and came in marching up near to the rendezvous, contrary to the orders, the chiefest officer with them being a capt. lieut. whom I have secured on purpose to try him at a council of war; and, for example sake, drew out divers of the Mutineers, three whereof were presently tried and condemned to death; and, by lot, one of them was shot to death at the head of the regiment, and there are more in hold to be tried. I do find the same regiment likewise very sensible of their error, and testifying much seeming conformity to commands; so that I doubt not but I shall be able to give you a good account of that regiment also. And indeed I do see that the London agents have been the great authors of these irregularities, and wish some of better quality have not been their abettors.—Major Scot came to the rendezvous, and did carry himself very factiously; not only testifying his own discontent, but stirring up others also to the same; whereupon I desired him to withdraw out of the field, and repair to the parliament; and commanded an officer to attend him to the house of commons.—I thought it my duty to give your lordships this further account, that colonel Rainsborough, with some others, tendered this inclosed Petition, together with the 'People's Agreement' annexed thereunto. And, by what hands I yet know not fully, very many copies of the same Agreement were dispersed among the soldiers, thereby to engage them; but, blessed be God, all proved ineffectual; and, I may repeat it once again, I never yet, upon any rendezvous, found men better composed and better satisfied at parting than these 9 regiments were; and I trust in God, if a just care be taken to answer their reasonable desires, they will still so continue: but give me leave to say, that, I hope, out of a good affection to you and this poor Kingdom, it will be your lordships glory and honour to make such use of this mercy, as that all the world may see that which I know you intend, to wit, a speedy Settlement of those things that I was bold to present to the house of commons in my late addresses, and the easing of this poor kingdom of free Quarter; by providing future Pay, that so no free Quarter be taken, nor the soldiers put to shifts, nor I be unable to uphold the discipline of the Army; that

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that his intention was to transport himself beyond sea.—The King could not hope to remain long concealed at Titchfield: what measure should next be embraced was the question. In the neighbourhood lay the Isle of Wight, of which Hammond was Governor. This man was intirely dependent on Cromwell. At his recommendation he had married a daughter of the famous Hampden, who, during his life-time, had been an intimate friend of Cromwell's, and whose memory was ever respected by him. These circumstances were very unfavourable; yet, because the Governor was nephew to Dr. Hammond, the king's favourite Chaplain, and had acquired a good character in the Army, it was thought proper to have recourse to him, in the present exigence, when no other rational expedient could be thought of. Ashburnham and Berkeley were dispatched to the island. They had orders not to inform Hammond of the place where the king was concealed, till they had at first obtained a promise from him not to deliver up his majesty, though the parliament and army should require him; but to restore him to his liberty, if he could not protect him. This promise, it is evident, would have been a very slender security: yet even without executing it, Ashburnham, imprudently, if not treacherously, brought Hammond to Titchfield; and the king was obliged to put himself in his hands, and to attend him to Carisbroke-Castle in the Isle of Wight, where, though received with great demonstrations of respect and duty, he was in reality a prisoner."

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they may be satisfied in their arrears, according to the former Desires, and the Act of Indemnity made full, and those other things concerning the soldiers in this Paper performed.—I shall very much rejoice in the next place, that you will please to anticipate all our Desires in those things which concern the Settlement of the Kingdom; which, though they do not move so properly from us as soldiers, yet, as Englishmen, who have engaged ourselves by our several Declarations to the kingdom, we cannot but continue our humble and earnest desires that they may be settled to satisfaction; and we hope it will not be any regret to you that we become your remembrancers therein; and, my lord, believe me, you will find expedition will be the life of all the things which concern the soldiers and the kingdom.—We shall have our other rendezvous with what convenience may be, of the issue of which you shall receive a speedy account. Having troubled you thus much, I rest, Your, &c. T. FAIRFAX. Hertford, Nov. 15."

To his Excellency Sir THO. FAIRFAX, our noble General; The Humble PETITION of many Officers and Soldiers under his Command,

"Sheweth; That, in judgment and conscience, we engaged in war against the King under your excellency's command, to preserve and vindicate the freedom of our native countries, and of the parliament in order thereunto: That by the blessing of God, all those our enemies are fallen or fled before us; that, for the same ends, for our rights, and for our services, we were forced to hazard ourselves in disputing the parliament's commands; and those our opposers have likewise been subdued: That the countries have petitioned your excellency to procure the long expected Settlement of their Freedoms: That we have waited many months for the securing to us, and all the freeborn people, their native Rights, and for our Indemnity and Arrears as soldiers; and our hearts bleed to see our country consume under continued distractions and heavy oppressions: That we see no hope of Indemnity for us and our assistants, nor of settling the foundations of Freedom, but by entering into this Agreement * which we herewith offer unto your excellency, desiring your concurrences therein: That we have seen and felt the sad consequences of being divided and scattered, before our native Freedoms were settled, and our Arrears secured, and such a way established for constant Pay that we may know where to receive it monthly without fail: That we are bound in conscience, from the sense of our duty to our native country, and in mercy to ourselves, to keep together with our swords in our hands, to maintain these our Freedoms, for which the parliament first invited us to take arms; to see our Arrears and Pay secured, and our dear country freed from these intolerable burdens. May it therefore please your excellency to go on, in owning and leading us in maintenance of this our cause, to the righteousness whereof God hath born such clear witness; and in the prosecution of these things, we humbly desire to live and die under your excellency's conduct."

After reading all these Papers, the lords resolved to have a present conference with the commons thereupon. A committee being appointed accordingly, the earl of Northumberland reported the Heads to be offered at the conference; which, being read and considered, were approved of as follows, viz. 1. "That a Letter of thanks be written to the General from both houses, desiring the continuance of his care to see exemplary justice done upon those who shall have raised or shall endeavour to raise Mutinies, and factiously to subvert the order and good government of the Army; and a committee of both houses to prepare the same. 2. That a speedy course may be taken to give some present satisfaction to the Army in their Pay, and such a Settlement of Pay to them for the future, that the kingdom may not continue under the burden of free Quarter, nor the soldiers be put to shifts. 3. That some real satisfaction may be given to the Army in respect of their Arrears; and the Act of Indemnity to be made full. 4. That there may be a committee of both houses appointed to examine the proceedings of those London agents, mentioned in the General's letter, and all others who are known, or shall justly be suspected, to have been the authors and abettors of these seditious irregularities, whereupon some exemplary justice may be done: and because col. Rainsborough and major Scot, members of the house of commons, are named in the General's letter to have acted in this business, to desire that house to take it into their care so to proceed with them, as may conduce to the safety of this kingdom, and the preservation of this present government. 5. That col. Rainsborough, who is named in the general's letter to have been active, with others, at this rendezvous, may not be suffered to go to sea till this business be fully examined. * 6. That for the satisfaction of the kingdom and army, and to discharge ourselves of the duty and trust that lies upon both houses, a speedy course may be taken and prosecuted to quiet the present distractions, and to settle the Peace of the kingdoms."

Resolutions of both Houses relating to the Safety of the King's Person.] A message was brought up from the commons with the following Resolutions, to all which the lords gave

* In the margin of the Lords Journals is this Entry, "The People's Engagement was annexed to this Petition, with these words printed on the back side, in Capital Letters, viz. "ENGLAND'S FREEDOM, SOLDIER'S RIGHTS." But we find no copy of it there, nor in any of the Collections.

* Appointed Vice-Admiral of the Fleet about two months before.

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their concurrence. 1. "That the securest place for the king's residence, during the time the houses shall think fit to continue him in the Isle of Wight, is Carisbrook Castle. 2. That no person who hath been in arms or assisted in this unnatural war against the parliament, be permitted to come or remain in the said isle during the King's residence there, unless they be inhabitants of the isle, and have compounded with the parliament. 3. That no person who hath been in arms, or assisted in this unnatural war against the parliament, shall be permitted to come into the king's presence, or into any fort or castle in the said isle, during the king's residence there, although he be an inhabitant, and hath compounded with the parliament. 4. That no stranger, or person of a foreign nation, shall be permitted to come into the king's presence without directions of both houses of parliament, except such as have warrant from the parliament of Scotland, or from the committee of that parliament thereunto authorised, and are not disabled by the Propositions agreed on by both kingdoms. 5. That a sufficient guard be appointed by col. Hammond, governor of the said isle, for securing the King's Person from any violence, and preventing his departing the said isle without the directions of both houses. 6. That the King's household at Hampton-Court be forthwith dissolved."

Remonstrance from General Fairfax touching the late Mutiny in the Army.] Nov. 17. The following Remonstrance from the General was read:

A REMONSTRANCE from his Excellency Sir THO. FAIRFAX and his Council of War, concerning the late Discontent and Distraction in the Army; with his Excellency's Declaration of himself, and Expectation from the Army thereupon, for the future uniting of the Army.

"That ever since the Engagement of the Army at Newmarket-Heath, his excellency, with the General Officers and General Council of the Army, (to which that Engagement refers) have been doing their duty and best endeavour for the good of the Army and kingdom, according to the ends of that Engagement, and the Declarations and other Papers that have since passed from the Army.—And in this, according to their consciences and the best of their understandings, they have done the utmost they could, without present destruction to the parliament; which, in their opinions, would inevitably have put the kingdom into blood and confusion, and so both the Army and kingdom into an incapacity, or past all rational hopes, of obtaining or enjoying that satisfaction or security for which the Engagement was entered into; and if they have neglected any thing wherein they might have done better, they have been ready, as still they are, to be convinced thereof, and to amend the default, and to hearken to what any man would soberly offer for that purpose, or to lead them to any thing better.—That while they have been thus doing their duty, (besides many other interruptions or diversions by the designs and workings of enemies) they have of late found the greatest interruption to their proceedings by a few men, members of the Army; who, without any authority or just call thereunto that we know of, assuming the name of Agents for several regiments, have, for what ends we know not, taken upon them to act as a divided party from the said Council and Army; and associating themselves with, or rather (as we have just cause to believe) given themselves up to be acted or guided by divers private persons that are not of the Army, have endeavoured, by various falsehoods and scandals, raised and divulged in print and otherwise, against the General, the General Officers, and Council of the Army, to possess the army and kingdom with jealousies of them, and prejudices against them; as if they had fallen from their principles, had broke all their Engagements and Declarations, and thereby forfeited their trust, and were in their whole proceedings false and treacherous, both to the army and kingdoms: and, by these and other practices, the said agents and their associates have laboured to make parties and factions in the Army, to raise discontents, mutinies, and disorders therein, to divide the soldiers from the officers, and both officers and soldiers among themselves, and to withdraw several parts of the Army from their duty and obedience to the General's orders, and that in things most necessary for the safety of the army and kingdom.—And thus, while they causelessly cry out against breach of Engagements, and dividing the Army, they themselves have made, or endeavoured to make, the greatest breaches of their Engagements, and greatest dividing of the army that can be; a dividing most truly contrary to the Engagement; a dividing which is as bad and destructive as disbanding; even the dissolution of all that order, combination, and government which is the essence of an Army; and, under false and delusive pretences that the Engagements have been broken, they have endeavoured really to loosen and draw the Army off from its former engagements, and to draw it into new engagements, different from, and, in some things, destructive to, the former; and have thus endangered the greatest forfeiture of the faith and honour of the Army that ever it incurred.—And whilst they cry out there is nothing done, they themselves have made the greatest obstructions to the doing of any good to the army or kingdom, both in the hinderance and delays to our proceedings, and the expence of time which their workings have occasioned, either to have satisfied them if it had been possible, or else to salve and quiet these discontents and distractions which they have raised in the Army; and also by the occasions which the parliament and kingdom, yea even our best friends in both, have thus received, to discourage them from compliance with, or confidence in, an army so uncertain,

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so unsettled, so divided.—For these causes the General hath thought fit to rendezvous the Army, or such parts of it as are not fixed upon necessary duty elsewhere; and having, with the advice of his general Council, sent to the parliament more importunately than before, for speedy satisfaction to the Army in their just desires, especially in points of provision, for constant Pay to avoid free Quarter, and of security for Arrears, thought it best, with the same advice, to dismiss most of the officers and Agitators from the head quarters for a fortnight unto their respective regiments, to satisfy and compose those discontents and divisions which have been thus raised in them; and for ease to the country and accommodation to the soldiery, with respect to the season of the year, have thought fit to contract the Quarters of the Army in 3 brigades, and to draw them to 3 several rendezvouses, not far from each other, and this in order to one general rendezvous, if there should be any occasion; and in this the several regiments of horse and foot have been appointed to constant quarters in order to those several rendezvouses, taking them directly in order as their several quarters lay before, without any other respect or consideration; but even these things the pretended agents and their associates have laboured to pervert, and make advantage of to the aforesaid ends of discontent and distraction, and to represent the same to the several regiments, as done in pursuance of the same treacherous councils and designs which they had before suggested; and what good they could not deny to be in the things, they assume to themselves as gained by their procurement, and so greedily catch at the sole credit of it, as if the General and his Council (but for them) had not done it; and, by Letters or Messages contradicting the General's Orders, they have, under such scandalous pretences, laboured to draw divers regiments from the quarters and rendezvous to which they were ordered unto the first rendezvous near Ware, in a disorderly and confused manner, to the oppression of the country and disaccommodation (if not quarrelling and distraction of the soldiery) in quartering.—That, without redress of these Abuses and Disorders, his excellency cannot, nor will, any longer undergo or undertake further to discharge his present trust to the parliament, the army and kingdom: and though he is far above any such low thoughts as to court or woo the Army to continue him their general; yet, to discharge himself to the utmost, and to bring the business to a certain and clear issue, his excellency doth now declare, That he is yet willing to adhere to, and to conduct, and live and die with, the Army, in the lawful prosecution of these things following, First for the Soldiery: 1. To obtain present provision for constant Pay, while continued, to enable them to discharge Quarters. 2. The present stating of Accounts, and Security for Arrears; with an effectual and speedy course to raise moneys thereupon. 3. Sufficient Indemnity, and commissioners in every county for that purpose. 4. Provision for maimed soldiers, and the widows and orphans of men slain in the service; and that in a certain and more honourable way, with commissioners in every county for that purpose. 5. Provision for Freedom from pressing, according to the first Petition of the Army. 6. Provision for Freedom of Apprentices that have served in this war, with the penalty upon masters refusing to give it.— Secondly, For the Kingdom: A period to be set for this present Parliament, to end so soon as may be with safety; and provision thereunto to be made for future parliaments, for the certainty of their meeting, sitting, and ending, and for the freedom and equality of elections thereto; to render the house of commons, as near as may be, an equal Representative of the People that are to elect. And, according to the Representation of the Army of June 14th, to leave other things to, and acquiesce in, the determinations of the parliament; but to remind the parliament of, and mediate with them for, redress of the common Grievances of the people, and all other things that the Army have declared their Desires for. That upon his excellency's continued conjunction in these things, he expects that, for the particular circumstances of them, the Army shall, according to their aforesaid first Engagement, acquiesce in what shall be agreed unto by the General Council of the Army, to which that Engagement refers; and for the matter of ordering, conduct, and government of the Army, that every member of it shall be observant of, and subject to, his excellency, his Council of War, and every one to his superior officers, according to the discipline of war; for assurance whereof he expects that as many as are satisfied herewith, and agree hereunto, do severally subscribe to what is here under-written for that purpose:

'We the Officers and Soldiers of re-
'giment of , whose names are here-
'unto subscribed, do hereby declare that we
'are satisfied in his excellency the General's
'continued conjunction with the Army, in the
'lawful prosecution of the things heretofore
'declared to be prosecuted for the Soldiery and
'Kingdom respectively; and, for the particular
'circumstances of them, we shall, according to
'the general Engagement of the Army above-
'mentioned, acquiesce in what shall be agreed
'unto by the General Council of the Army,
'to which that Engagement refers; and for
'the matter of Ordering, Conduct, and Go-
'vernment of the Army, we shall be observant
'of, and subject to, his excellency and his
'Council of War, and every one of us to our
'superior officers in this regiment and the
'Army, according to the discipline of war."—
Signed by the appointment of his excellency sir Thomas Fairfax and his Council of War, Jo. Rushworth, Secretary. Hertford, Nov. 14."

This Remonstrance was ordered to be sent down to the commons.

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The King's Message from the Isle of Wight.] This day the following Message was received, from the King, but the consideration of it was deferred to the next day. And it was then only ordered to be sent down to the commons, and afterwards, by a committee, to be communicated to the Scots commissioners according to the direction of it. This Message from the King is not entered in the Journals; a slight put upon his majesty of which we have not hitherto found an instance. It is however printed in Royston's edition of the King's Works, and also in Mr. Rushworth's Collections. But we find nothing done upon it in either house.

To the SPEAKER of the House of PEERS pro tempore, to be communicated to the two Houses of Parliament at Westminster, and to the Commissioners of the Parliament of Scotland. From the Isle of Wight, Nov. 1647.

"C. *R.* His majesty is confident that, before this time, his two houses of parliament have received the Message which he left behind him at Hampton-Court the 11th of this month; by which they will have understood the Reasons which enforced him to go from thence, as likewise his constant endeavours for the settling of a safe and well-grounded Peace wheresoever he should be; and being now in a place where he conceives himself to be at much more freedom and security than formerly, he thinks it necessary (not only for making good of his own professions, but also for the speedy procuring of a Peace in these languishing and distressed kingdoms) at this time to offer such grounds to his two houses for that effect, which, upon due examination of all interests, may best conduce thereunto.—And because Religion is the best and chiefest foundation of Peace, his majesty will begin with that particular. That for the abolishing Archbishops, Bishops, &c. his majesty clearly professeth that he cannot give his consent thereunto, both in relation as he is a Christian and a King: for the first, he avows that he is satisfied in his judgment that this order was placed in the Church by the Apostles themselves; and, ever since their time, hath continued in all Christian churches throughout the world until this last century of years; and in this church, in all times of change and reformation, it hath been upheld by the wisdom of his ancestors, as the great preserver of doctrine, discipline, and order in the service of God. As a King, at his coronation, he hath not only taken a solemn Oath to maintain this Order, but his majesty and his predecessors, in their confirmations of the Great Charter, have inseparably woven the Rights of the Church into the Liberties of the rest of the subjects; and yet he is willing it be provided that the particular Bishops perform the several duties of their callings, both by their personal residence and frequent preaching in their dioceses, as also that they exercise no Act of Jurisdiction or Ordination, without the consent of their presbyters; and will consent that their powers in all things be so limited, that they be not grievous to tender consciences: wherefore since his majesty is willing to give ease to the consciences of others, he sees no reason why he alone, and those of his judgment, should be pressed to a violation of theirs. Nor can his majesty consent to the Alienation of Church Lands, because it cannot be denied to be a sin of the highest sacrilege; as also, that it subverts the intentions of so many pious donors, who have laid a heavy curse upon all such prophane violations, which his majesty is very unwilling to undergo; and besides the matter of conscience, his majesty believes it to be a prejudice to the public good, many of his subjects having the benefit of renewing leases at much easier rates, than if those possessions were in the hands of private men; not omitting the discouragement which it will be to all learning and industry, when such eminent rewards shall be taken away, which now lie open to the children of the meanest persons.—Yet his majesty, considering the great present distempers concerning Church Discipline, and that the Presbyterian government is now in practice; his majesty, to eschew confusion as much as may be, and for the satisfaction of his two houses, is content that the same government be legally permitted to stand, in the same condition it now is, for 3 years: provided, that his majesty and those of his judgment (or any other who cannot in conscience submit thereunto) be not obliged to comply with the Presbyterian government, but have free practice of their own profession, without receiving any prejudice thereby; and that a free consultation and debate be had with the Divines at Westminster, (20 of his majesty's nomination being added unto them) whereby it may be determined by his majesty and the two houses, how the Church-Government after the said time shall be settled, (or sooner, if differences may be agreed) as is most agreeable to the Word of God; with full liberty to all those who shall differ, upon conscientious grounds, from that Settlement; always provided, that nothing aforesaid be understood to tolerate those of the Popish profession, nor the exempting of any Popish Recusant from the penalties of the laws, or to tolerate the public profession of Atheism or Blasphemy, contrary to the doctrine of the Apostles, Nicene, and Athanasian Creeds; they having been received by, and had in reverence of, all the Christian Churches, and more particularly by this of England, ever since the Reformation.—Next, the Militia being that right, which is inseparably and undoubtedly inherent in the crown, by the laws of this nation, and that which former parliaments, as likewise this, have acknowledged so to be; his majesty cannot so much wrong that trust which the laws of God and this land hath annexed to the crown, for the protection and security of his people, as to divest himself and successors of the Power of the Sword; yet, to give an infallible evidence

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of his desire to secure the performance of such agreements as shall be made in order to a Peace, his majesty will consent to an act of parliament, that the whole power of the Militia, both by sea and land, for and during his whole reign, shall be ordered and disposed by his two houses of parliament, or by such persons as they shall appoint, with powers limited for suppressing of forces within this kingdom, to the disturbance of the public peace, and against foreign invasion; and that they shall have power, during his said reign, to raise money for the purposes aforesaid; and that neither his majesty that now is, or any other (by any authority derived only from him) shall execute any of the said powers during his majesty's said reign, but such as shall act by the consent and approbation of the two houses of parliament; nevertheless his majesty intends that all Patents, Commissions, and other acts concerning the Militia, be made and acted as formerly; and that after his majesty's reign, all the power of the Militia shall return entirely to the crown, as it was in the times of queen Elizabeth and king James of blessed memory.—After this head of the Militia, the consideration of the Arrears due to the Army is not improper to follow; for the payment whereof, and the ease of his people, his majesty is willing to concur in any thing that can be done without the violation of his conscience and honour: wherefore, if his two houses shall consent to remit unto him such Benefit out of Sequestrations from Michaelmas last, and out of Compositions that shall be made before the concluding of the Peace, and the Arrears of such as have been already made, the Assistance of the Clergy, and the Arrears of such rents of his own revenue as his two houses shall not have received before the concluding of the Peace, his majesty will undertake, within the space of 18 months, the payment of 400,000*l.* for the satisfaction of the Army: and if those means shall not be sufficient, his majesty intends to give way to the Sale of Forest Lands for that purpose, this being the public Debt, which, in his majesty's judgment, is first to be satisfied; and for other public debts already contracted upon Church-Lands, or any other Engagements, his majesty will give his consent to such act or acts for raising of Monies for payment thereof as both houses shall hereafter agree upon, so as they be equally laid, whereby his people (already too heavily burdened by these late distempers) may have no more pressures upon them than this absolute necessity requires: and for the further securing all fears, his majesty will consent, that an act of parliament be passed for the disposing of the great Offices of State, and naming of Privy Counsellors, for the whole term of his reign, by the two houses of parliament, their patents and commissions being taken from his majesty, and after to return to the crown, as is expressed in the Articles of the Militia. For the Court of Wards and Liveries; his majesty very well knows the consequence of taking that away, by turning of all tenures into common soccage, as well in point of revenue to the crown, as in the protection of many of his subjects, being infants: nevertheless, if the continuance thereof seem grievous to his subjects, rather than he will fail on his part in giving satisfaction, he will consent to an act for taking of it away, so as a full recompence be settled upon his majesty and his successors in perpetuity, and that the Arrears now due be reserved unto him towards the payment of the Arrears of the Army.—And that the memory of these late distractions may be wholly wiped away, his majesty will consent to an act of parliament for the suppressing of and making null all Oaths, Declarations, and Proclamations against both or either house of parliament, and of all indictments and other proceedings against any persons for adhering unto them; and his majesty proposeth (as the best expedient to take away all seeds of future differences) that there be an Act of Oblivion to extend to all his subjects.—As for Ireland; the Cessation there is long since determined; but for the future, all other things being fully agreed, his majesty will give full satisfaction to his houses concerning that kingdom.—And although his majesty cannot consent, in honour and justice, to void all his own Grants and Acts passed under his Great Seal since the 22d of May, 1642, or to the confirming of all Acts and Grants passed under that made by the two houses; yet his majesty is confident that, upon perusal of particulars, he shall give full satisfaction to his two houses, to what may be reasonably desired in that particular.—And now his majesty conceives that, by these his Offers, (which he is ready to make good upon the Settlement of a Peace) he hath clearly manifested his intentions to give full security and satisfaction to all interests, for what can justly be desired in order to the future happiness of his people. And for the perfecting of these concessions, as also for such other things as may be proposed by the two houses, and for such just and reasonable demands as his majesty shall find necessary to propose on his part, he earnestly desires a Personal Treaty at London with his two houses, in honour, freedom, and safety; it being, in his judgment, the most proper, and indeed only, means to a firm and settled Peace, and impossible without it to reconcile former, or avoid future, misunderstandings.—All these things being by treaty perfected, his majesty believes his two houses will think it reasonable that the Proposals of the Army concerning the Succession of Parliaments and their due Elections, should be taken into consideration.—As for what concerns the kingdom of Scotland, his majesty will very readily apply himself to give all reasonable satisfaction, when the desires of the two houses of parliament on their behalf, or of the Commissioners of that kingdom, or of both joined together, shall be made known unto him."

The Scots Commissioners refuse their Assent to the Propositions of Peace.] Nov. 22. The

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Scots Commissioners had not yet given their Assent to the Propositions to be sent to the King, on account of the houses not giving them any satisfaction, in regard of the indignities and affronts they had complained of. The lords, therefore, this day, took their letter of the 17th into consideration; and, after debate, appointed a committee to draw up an Answer to it, according to the sense of that house. Soon after this Answer was read and approved of, and was ordered to be sent down to the commons for their approbation.

Nov. 25. The Scots still refusing to give their Assent to the Propositions, a committee of lords and commons were sent to press them to it. This day it was reported to the lords, from that committee, that they had been with the Scots Commissioners, and had received, for Answer, the following Paper:

"We are commanded by the Committee of Estates of the parliament of Scotland, to press an Answer to our former Papers, which we have daily expected; and do again, with all earnestness, desire a Personal Treaty with his majesty, it being, in our judgments, a readier way to compose all differences, than the sending of these Propositions, wherein there are such great and essential differences from what was formerly agreed on by both kingdoms. And, to the end there may be no retardment on our part, for pursuance of all good means which may procure a happy Peace, we desire that we may have a free conference with a full committee of both houses, where we shall endeavour to give satisfaction of the expediency of our desires: and shall also shew the difference of our judgments from these Propositions, that, according to the Treaty, there may be, with advice and consent of both nations, a speedy agreement in that which is the foundation of settling religion, with the peace and safety of both kingdoms."

The lords did not then give any Answer to this Remonstrance, but appointed a committee to consider of such Propositions to be sent to the king as they conceived to be absolutely necessary for their present security.

The Lords resolve upon 4 Propositions, for present Security, to be offered to the King; and a Personal Treaty for the rest.] This day the lords sent the following Message to the commons: "That they, having seriously considered the dangers and mischiefs that may be brought upon the kingdom by the endeavours of those Agents that have formerly and still do continue to use their interest for the subverting of the present established government of the kingdom, do desire that the Committee formerly appointed for the examination of that business, may have power to frame a Declaration, setting forth the dangerous consequences that may come to the whole kingdom, if not prevented: and likewise to put them into a way for a present punishment and suppression of such persons, or writing of books, or procuring subscriptions to Petitions, or be any other way active in promoting so destructive a design."—The report from the committee on what Propositions were now absolutely necessary for present Security, was, That they think the Propositions for the Militia, with those for the King's Declarations, as also that Proposition concerning Titles and Honours, with another about Power to adjourn this Parliament as both houses should agree, may be most necessary to insist upon. These being approved on by the house, the lords thought fit to have a conference, the next day, with the commons, to acquaint them with these matters, and give them Reasons for so doing.

Nov. 26. A conference was held between the two houses, at which the lords offered the following Reasons: "That the King having so often desired to be heard, and the commissioners of Scotland so often pressing for a Personal Treaty, the kingdom also long expecting to be freed of their great pressures and burthens, by some speedy settlement of the government; they desired that the two houses might do that which should discharge their duty, in respect of the safety of both kingdom and parliament, and yet not refuse to hear the king in such things as might be subjected unto debate. The lords therefore proposed four Propositions, which they then offered, as most immediately concerning the safety and security of the kingdom and parliament, which being put into Bills, the king might be desired to give his royal assent to; and this being done accordingly, they did next conceive it to be the most satisfactory way, and what was most likely to produce a speedy Settlement of the present Distractions, for the houses to admit of a Personal Treaty upon the rest of the Propositions."

Nov. 27. There was no report made of the result of this conference, nor are the four Propositions yet entered in the Lords Journals; but in those of the commons they are, viz. That concerning the Militia: for recalling the King's Oaths and Declarations: concerning the Peers made since the Seal was surreptitiously carried away by the then lord-keeper Littleton; and that the houses should have power to adjourn to what place they shall think fit. Which being put to the question, Whether to agree with the lords in their desires concerning these four Propositions? it was carried in the affirmative by 115 against 106. They were afterwards ordered to be put into Bills accordingly.

Order for suppressing of Riots.] Dec. 2. A complaint being made to the lords of a great Disorder committed last night in the Strand, several soldiers making a stop of all coaches, and suffering none to pass unless they would drink the King's Health; an Order was made for the Militia of London and Westminster to take care to suppress such riots, and to apprehend the authors of them; also that the lord mayor, and officers of Westminster should suffer no company in any tavern or alehouse after 9 o'clock at night.

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The house of commons had several Petitions presented to them, as the 'Supreme Authority of England,' which they had hitherto discouraged; and this day another coming with the same direction, stiled, 'The humble Petition of many free-born People,' &c. they resolved to give this Answer thereto, without any addition or alteration: "That this house doth declare, That it is the Right of the Subject to petition: and that it is the Right of the parliament to judge of such Petitions when they are presented: That all persons are bound to acquiesce in the judgment of the parliament, upon Petitions presented; and that this house doth expect the same from the petitioners."

Petitions against Free Quarter.] Dec. 7. Several Petitions were presented to both houses, complaining grievously of the heavy burden they endured from free Quarter, and other depredations of the soldiers: which, with great taxes and assessments, made the inhabitants almost ready to sink under them. Both houses put them off with fair speeches and promises; knowing very well it was not in their power to ease them of their burden.*

A Remonstrance presented from General Fairfax and the Council of War, requiring present Pay, &c. for the Army.] This day colonel sir Hardress Waller, and col. Whaley, presented to the house of lords, and after to the commons, the following Remonstrance from the General and Council of War; and in regard, they said, that the business of it was concerning Money to supply the Army, and the constant settling of their Pay, they did expect an Answer.

An Humble REPRESENTATION from his Excellency sir THO. FAIRFAX and the Council of the Army, concerning their past Endeavours, and now final Desires, for putting the Soldiery into constant Pay; for immediately disburdening the Kingdom of free Quarter; the Prevention of any further Increase of Arrears: and in order to the disbanding of Supernumeraries, and other Things concerning the Soldiery.†

"Since by the blessing of God, the Speakers and members of both houses (that had been driven away) were, without blood, restored, and have been ever since secured to sit and attend their duty in parliament; with what patience God hath given us to wait for the resolutions of those things we have insisted on or offered, tending to the future Security of the parliament, the just Satisfaction of the Soldiery, and the ease and Settlement of the Kingdom, we need not use many words to set forth; the expence of above 4 months time in quiet expectation thereof, with so little satisfaction, does sufficiently speak.—As to what fruit we have found in any thing done to any of these ends, we are sorry we can say so little thereof: or that we have occasion to say so much of the delay and neglect of observation thereof, as we are now constrained to do: But whatever these neglects or delays have been, or wherever the fault hath been, we are sure the blame thereof hath been laid upon us almost on all hands; and this is the fruit we have found, from the hands of men, of all our patient waiting hitherto.—It is not unknown what reproaches and scandals of this kind have been cast upon us, and what use and advantage have been made of those delays, thereby to work upon the impatience of the soldiers and country, to incense the country against the Army, and both the army and country against us, as if it had been our fault alone that no more was done; and to what an height of scandal and discontent against us the pretence hereof was driven, or what desperate endeavours have been thereupon made to withdraw the soldiers from the officers, (as having betrayed, or failed and neglected both theirs and the kingdom's interest) to divide and distemper the Army, and to engage both the soldiery, and many other well-affected people, under the same notion and pretence, in ways of distraction and confusion: And as we accounted these of most eminent danger both to the parliament, city, and kingdom, we need not spend much time to express; for we believe all that wished well to the public were so deeply sensible thereof as they cannot so suddenly forget it; and others, who had any thing to lose or hazard, though, perhaps so far as they had hopes the Army might that way have destroyed itself, they might have some secret rejoicing at it, and may now be sorry the business is so well over without that offer; yea, so far as they considered the bottomless depth and endless danger of it, they could not but be affected with it, so far as we need not mention it, save to mind men of what danger and mischief God hath therein delivered them from; and whence the greatest advantage to the rise and growth of it was, even from delays and slow proceedings in those things, which the long expectation of the soldiery and kingdom have been set upon; and to observe how apt both the Soldiery and people, through tedious delays in such cases, are to hearken to any part, and try any new way proposed under the notion of more spee-

* "In these passages," says Whitlocke, "notice might be taken of the strange workings of God, and of the perplexed condition the parliament was then in. The Army, whom they had raised, paid, and commissioned, now mutinying against them; and, with their swords in their hands, controuling and opposing their principals and masters. The city, their old friends, joint actors and constant assistants of the parliament with their lives and fortunes, becoming full of sedition and averseness towards them; questioning their integrity, reproaching and seeking to cast them off."

† From the original edition, printed for George Whittington in Cornhill, and licenced by Gilbert Mabbot.

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dy and effectual, though perhaps so far from real remedy, as that indeed it endangers the utter loss of their end, with ruin and destruction to both.—To prevent the progress of this growing danger to all, we have lately exposed ourselves to the utmost hazard; and being acted therein from some clearness in our conscience that the fault of these delays lay not upon us, as was scandalously suggested, and a confidence in God that he would appear to vindicate that measure of truth and integrity he had given us in the thing, though with many failings and miscarriages on our parts, we were led forth by him, without any artifice whereby to vindicate or excuse ourselves, nakedly to cast ourselves and the business upon him; and, to his praise we must speak it, he hath appeared in an answerable issue, whereof the parliament and kingdom have had an account; and wherein they may see, and we wish they may with us take notice and be mindful of, the mercy and goodness of God in our deliverance, which were added to all the rest; and therein the army, which, in casting off all bands of order and government, was like to have been let loose to have been a plague and bane both to the kingdom and itself, once more reduced under that temper and discipline which may render it, through and under God, a further security and stay to the kingdom; and, in due time, bring it to a quiet disbanding, when just satisfaction, with settlement and safety, shall admit: but, as hath been in part done already, we must again mind the parliament upon what terms this hath been wrought: The General (as we all with and under him) stands engaged to the Army for the lawful prosecution of the soldiers concernments, and some general fundamental things for the kingdom; and, in confidence of the parliament's good acceptance of the service thereby done, and of their real intention, and promised effectual resolution, to give satisfaction in those things, hath, in a manner, undertaken for the parliament therein.—We wish we may see cause to acknowledge their just sense of his excellency's good affection and service in that business, or at least of their own Engagement, or the kingdom's concernments therein; and that we had not cause either to apprehend a strange neglect thereof growing upon many, or rather, in some, the sad symptoms of an evil eye at the service itself, as if they did regret the happy composure of those distractions begun in the Army, or the re-uniting of it; or did grudge the good hand of God towards it and the kingdom therein, that, in mercy would not suffer it to run on in these distractions to its own ruin and the kingdom's: For though it be most evident that had God given up the Army to cast off the reins of government and order, and to go on in those distracting and confounding ways, which it was endeavoured to be drawn into, both it and other forces of the kingdom were like, e'er this time, to have been engaged in blood one against another; or else united only in some desperate course of rending and tearing out the bowels and vitals of the kingdom, and of plucking up or endangering all foundations of order, peace, and government therein; yea, and of all right and property too; yet the envy and malignity of some men's spirits against this Army, and against the interest of good men therein, seems to be such as if they had rather have seen it so, than that this Army should again be an united piece; and we clearly apprehend the same principles, that swayed heretofore, now again prevailing, as if there were no good so serviceable, or evil so formidable, which the breaking of this Army, with as much ignominy and confusion as may be, would not, in their account, countervail; and if such an envious and evil spirit be indeed lodged and working in the hearts of any, we desire God in mercy to convince them of it, lest he confound them for it.—For our parts, having the Witness of God in our consciences, that though we are not without weak and frail workings of our fleshly hearts in all our ways; yet, for the main, we have, in all our engagements from the beginning of the war, had the work of God and the kingdom in our eye, and not our own: And that, since the Army by the oppressive provoking and spiteful proceedings of men, acted by the aforesaid envious principles against it) was raised to such resolutions, and driven into such a posture as put it past the power of the officers to bring it to a quiet disbanding, without further satisfaction and security, it hath been our main end in continuing with it, and almost our whole work, to keep it within compass and moderation; to withhold it from extremities of all sorts, and from that mischief to the kingdom or itself, which our withdrawing and taking off our hands from the government of it would have let it loose unto; and to make use of it, and of the providence that brought it to that pass, if possible, to some good issue for the just liberty, safety, and settlement of the kingdom; and bring the Army to some bottom of reasonable satisfaction wherein it might acquiesce, and at last come to a quiet disbanding; and, in transaction of all this, with all tenderness and patience, to preserve, if possible, the authority and peace of the kingdom, and prevent new broils which several parties and interests have been so apt unto. Having, we say, the witness of these things within us, when, on the other side, we consider what unworthy requitals we meet with for all this from the hands of men; how we are loaded with reproaches for it, and accused of being the only disturbers of the kingdom, and the authors of its burdens, as if, for private ends and designs, we kept up the Army; and how generally most men, even of the parliament party, for whose preservation, and for prevention of whose ruin, we have exposed ourselves to all hazards therein, do, either from disaffection or design to divide and break the Army, withhold or obstruct all supplies and satisfaction which might keep it in order, union, or repute: we confess, when we consider these things, we are ready to apprehend

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that God doth herein seem most justly to upbraid our care and solicitousness to preserve a people given up, as we begin to fear, to their own destruction, and which seem to chuse it rather than not to have their own factious interests or envy fulfilled; rather than to own their preservation, in the least degree, to those whom God hath appeared willing to use for their preservation and deliverance.—And, rather than we would further increase the odium and scandal of being the only public Disturbers and Oppressors, so unworthily cast upon us, merely for our good-will and endeavours to prevent greater mischiefs, we are apt to chuse rather to withdraw from our private station, though with hazard of our personal safety, and the loss not only of any imagined benefit of future employment, but even our Arrears for what service we have done; and so leaving all to whatever confusion God in his righteous judgment may seem good to bring upon the nation, to cast ourselves wholly upon him to preserve and provide for us in the midst thereof; or, if God in mercy intend better things to the kingdom, or hath found ought in us, which we confess he may, rendering us unworthy to be any longer instruments thereof, we should desire, with meekness and rejoicing, to see any other whom he finds, or the kingdom judgeth, more worthy to take up our present charge: but finding not yet any such clear discharge as would, to our apprehension, fully quit us before God or man, to leave the Army or kingdom in this present condition, we shall, in discharge of our duty to the utmost, add this one essay more to bring both into a better, if God in mercy see it good; we shall therefore once more beg the parliament timely to consider and provide effectually for those things expressed in the late Remonstrance published at the several rendezvouses of the Army, upon his excellency's continued conjunction, whereby the discontents in the Army were quieted, the distractions composed, and the due order and discipline of it recovered and submitted to: And, amongst these things, since the greatest and most immediate and pressing evil to the soldiery is the Want of Pay; and, to the country, the Disorders, Exactions, and Abuses, of the soldiers, with the burden and annoyance of free Quarter thereby enforced: and which, if once provided for, gives time of consideration for other things: we shall first apply to that, either to obtain a present Remedy, or at least to acquit and discharge ourselves, in that point, of the many evils thereof, both to the soldiery and country.—We have long been sadly sensible, and many ways and often expressed our sense thereof; but we have been most troubled at it, since that necessity which heretofore enforced it, viz. the straitness of the Quarters the parliament had to raise Money in, was taken away, and all parts of the kingdom have been cleared from any enemy, and free for the equal levying of money to supply the necessities of the whole: and it seems a matter of wonder to us, or an argument of great improvidence at best, that since that time the Soldiery, though much lessened in number, should be no better paid and provided for than before.—From the sense of these things, we have made frequent Addresses to the parliament for a sufficient establishment and provision of Pay for the Army and other forces of the kingdom, until they might, with safety to the kingdom, and just satisfaction and security to themselves, in point of Arrears, Indemnity, &c. be disbanded, or otherwise employed out of the kingdom. We have long waited with impatience as aforesaid, for some fruit of our addresses, at least in this point; but what through the difficulty or delay of getting things passed in parliament to this purpose, or of putting in execution those ordinances that have been passed, and the neglect or slowness of country committees, assessors, or collectors, to do their duty therein: what through the malignity of some, who, in design to break or distract the Army as aforesaid for want of Pay, and to disaffect the country thereto by necessitated free Quarter, do industriously retard all supplies of money; and what through the general backwardness of all, especially in the city of London, to part with it, we have yet found little fruit of all our Addresses and Endeavours in this kind; there being not as yet any establishment of contribution for Pay of the soldiery, any whit near proportionably to the numbers that we yet keep up, or any effectual execution of the powers already given for raising of the Taxes already charged upon the kingdom: so as we remain yet as far as ever from that Supply of Pay to the Army or other forces, whereby either the burdens and grievances of free Quarter can be taken off, or the necessity of the soldiery competently supplied, or their discontents in any measure removed, or disorder prevented, or good discipline preserved; and, which is most sad, in the Garrisons of the kingdom, and those of most importance, where the soldiery have not, nor well can have, the benefit of Quarter for their subsistance, (as the Army and field-officers have) yet they have very long been without any supply of Pay at all; so as divers poor soldiers in some of them have actually starved and died for want, in attendance upon their duties; others forced by extremity of want to quit their service: and the rest ready to starve or quit their garrisons to any that will possess them; and as it is most apparent that the present proportion of Tax, if duly levied, could not competently supply them, and others too, in an equal distribution thereof, considering the number that are yet in being; so the committees in many countries where such garrisons are, that have engaged with the Army, do refuse to levy those small proportions of Money that have been assigned for the present relief of such garrisons; but are content to see the aforesaid miseries of the Soldiery, and danger to the Garrisons, rather than do their parts

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to give the least remedy to either; divers of them telling the soldiers plainly, as we are informed, that if they had declared against the Army they should not have wanted; but having engaged with it they must expect neither Quarter nor Pay but what they get from the Army.—If we, or this poor Army, have deserved such hatred or despite, especially from pretended friends to the parliament and the kingdom's interest, we would fain be plainly told and convinced wherein; otherwise we cannot account it but most unchristian and inhuman dealing, and such as can have no better root than envious faction, void of all regard to public interest; and we would have all such know that, if we had been in the same mind, or would have allowed ourselves, by power, to pursue the ruin of adverse parties, by indirect or unchristian ways, or otherwise to set up a party of our own and suppress all others; or if we had not still, according to our first principles, loved much more the ways of common right and freedom, and the proceedings in all such things by parliament in order thereunto; or if we had not, in the way of ordering our affairs since the Army's Engagement, consulted more the preserving of Peace in the kingdom, and to prevent the rise of any new war, than our own advantage or security, we could (to speak as men, with the power and advantages God hath put into our hands) long ere this time, as yet also we might, have put the Army, and all other forces engaged with it, into such a posture as to have assured themselves of Pay while continued; and probably to have made our opposers in the kingdom, and city too, willing to have followed us with offers of Satisfaction as to the Arrears and other dues that concern the soldiery; or we could have told how to prosecute those advantages we have had to the suppression, if not destruction of adverse parties and interests, so as they should not, probably, have had those foundations or possibilities to grow up again to our further trouble or danger, as now they seem to have; and all this with reason and justice enough too: but that we have studied the preservation and good of all, without ruin or destruction to any, as far as we could; and have, through God, been acted therein in some measure with that mildness and moderation, patience, and love in the name of Christ; and we are yet confident we shall at last lose nothing by it.—But to return to our purpose: As to the Inconveniences and Dangers of a new provision for the Soldiers, in point of Pay, the parliament hath had sufficient cautions and warnings, especially in the late distractions; and while the danger thereof continued visible, it was largely professed, if that danger could be removed, and the Army reduced into order and discipline, we should have what provision we could, with reason, desire in that point; and the same, with much more, upon the first hopes of overcoming that danger, was as largely promised: yet now the danger is over, we see little better care of performance than before; but after many days since elapsed, and some spent in professed consideration of it, the whole care of that business seems to be wrapt up in one bare Vote, viz, 'That all supernumerary Forces shall be disbanded.'—As to which matter of Disbanding Supernumeraries, so it be with reasonable satisfaction in point of Arrears, we are so far from opposing or obstructing it, that, for the speedy easing of the kingdom's burdens by it, we shall readily give all furtherance and assistance to it; and shall, by-and-by, offer that encouragement thereunto as will demonstrate the same; and on such terms we shall ourselves most gladly be of those supernumeraries that should come first to disbanding; but as to the thought of the present disbanding of all supernumeraries, according to the Vote, first, we cannot but wish it be considered, whether, with any respect at all to the service and relief of Ireland, the parliament can well disband them all; unto which service, (as these might have been of great advancement of assistance long since, but for the prevalence of faction and design to break that force that might have afforded it, as we have formerly demonstrated) so we have more lately contributed our parts in the offer and designation of a very considerable force thereunto; and there hath wanted nothing but resolution and money, with expedition to send them over, which was not in our power.—But if (with respect to that service and the safety of this kingdom) the parliament can but lessen their forces so much, as to bring them near 60,000*l.* per mensem pay; yet we wish it be withal considered how many these supernumeraries are, that must so come to be presently disbanded; which, to bring the residue within that compass, would be little less than 20,000 of one sort or other; and, if so, how great a sum it would require to give any reasonable satisfaction to so many, in point of arrears in hand; and by the hardness of getting so much money as to piece up the month's Pay to the Army, we have much reason to doubt how long the parliament will be in raising such a sum together, or where they will suddenly find money to give competent satisfaction to the proportion but of a regiment or two upon a present disbanding; and unless they be provided with present money to give reasonable satisfaction to so many at once as would to that end come to be disbanded, the parliament must either turn them off presently with extreme dissatisfaction and disobligation; (which will render them apt to rise again with any party against the parliament, who would give them hope of better dealing, or but of revenge) or else must continue them until better provided.—And though there were Money ready for a competent part of Arrears in hand, yet it will be necessary, however, that they be continued for some time for the stating of their Accounts, and giving Debentures for the remainder; for (besides the injustice and dissatisfaction of turning the soldiers off without that) we presume the parliament hath had too much experience already of the bottomless ill

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consequences of not ascertaining their Accounts and Arrears before disbanding, and not keeping the same registered together, by the endless clamours and outcries of particular persons for Arrears, and the vast sums expended thereupon, without end or satisfaction; the persons or their state of Arrears (through neglect of taking such Accounts before disbanding) having never been certainly known, nor any end either of their number or claims; and the dispatch of such Accounts for those that remain before disbanding will certainly take up some time; we doubt, some months.—Now, if thus any part of the Supernumeraries, above what the 60,000*l.* a-month will pay, shall, either for the time of stating their Accounts, or longer for want of present money, not be disbanded, the Army must so long remain without constant Pay; and consequently go upon free Quarter the while, unless the tax for their Pay be for the mean time proportionally increased; for the 60,000*l.* a-month not affording any assignment for such supernumeraries pay, those must of necessity go unpaid the while, and consequently upon free Quarter; and their going any where upon free Quarter will hinder the coming in of the contribution of those parts which should be to pay some others; and so these must likewise go upon free Quarter the while, which will, in like manner, hinder the pay and necessitate the like free quartering of others; so as all will, that while, be equally hindered from constant Pay, and forced to take free Quarter still. But besides these aforementioned certain and visible occasions of delays to the present effect of the Vote for disbanding all Supernumeraries, we doubt it will find many other difficulties and obstructions to the speedy and effectual dispatch thereof, and prove not so easy, or so well executed as voted; so that though we wish that business of disbanding Supernumeraries put into as speedy a way of execution as may be, yet, upon all these considerations, we cannot imagine that Vote to be absolute and sovereign; nor so speedy and timely a care of the Soldiers Wants and Discontents, and the country's Grievance in their free Quarter, as the nature of the malady and temper of the patient requires: we shall therefore offer our final Advice for some other, first setting down the Particulars, and then shewing the Efficacy and Benefit thereof: the Particulars, which we have in part heretofore propounded to the parliament, are these:—I. That the parliament do forthwith enlarge their monthly Contribution, for 5 or 6 months, to the full proportion of the Pay of all the Forces now in being within this kingdom, or at least so many of them as they are not provided with ready money to disband, and to a considerable proportion, viz. about 10,000*l.* a month over; which, by a near estimate, we conceive would well be by the addition of 40,000*l.* per mensem to the present 60,000*l.* per mensem, and with less we believe it cannot be; and the same committees to be appointed, and to have the same powers for the levying this as for the former 60,000*l.* and the same penalties for neglects or defaults therein as for the Arrears of former Taxes to the Army: and for the more speedy passing of this, unless some visible inequality in the rates of counties be readily rectified, without delay to the passing of it, we wish it might (being but for that short space) pass according to the same rates as the 60,000*l.* And for the kingdom's better satisfaction herein, it may be resolved and declared, 1. That upon this Enlargement, and the effectual levying of it in the respective counties, no free Quarter at all shall, from within a month at most after passing the Ordinance, be taken in any county or place where it shall be duly levied and paid. 2. That it is intended this Enlargement of Tax shall not be continued beyond the space of the months limited; and that in the mean time, as the parliament can find money and safety to disband and lessen their forces, so, if that lessening be considerable, they will, by degrees, lessen the said tax proportionably.—II. We desire that, for the more sure and effectual levying of the whole tax, the General and Committee of the Army, or one of them, may have power, in case of any country committee's neglect or fail therein, to add new men to any of the respective committees, who are thereupon to have the same power as the committees named in the Ordinance have.—III. That for the more sure and ready Payment of the Soldiery out of this, the Forces which are not or cannot be provided for to be forthwith disbanded, may be immediately assigned to several counties, or associations of counties, out of whose taxes they shall be paid; and that the General may have power accordingly to make such distribution and assignment, giving notice and account thereof to the committee of the Army, and they thereupon to take order for the payment of the Forces so assigned, immediately out of the counties or associations to which they are assigned; and that the payments be made according to due musters, and according to the last establishment, as to the rate of each officer's Pay; and the surplusage of any county's Taxes, above the due pay their forces so assigned to be paid out of them, to be at the care and oversight of the same Committee for the Army, called for and paid into the common treasury, for such general uses as shall be found necessary relating to the forces and service within this kingdom, by warrant from the General or Committee of the Army, according to the usual course of limitations heretofore; and the remainder and surplusage of the said taxes of the whole kingdom, above the uses aforesaid, to be for the supply and relief of the forces already in Ireland, or other public uses as the parliament shall think fit; and the same committee likewise, with the treasurers, to take care for the methodizing and balancing of the whole Accounts, and to have power for the employing of Officers needful for the dispatch and accommodation of this service, and to make allowance of salaries to them, within

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some reasonable limitation; particularly that there be allowances for so many deputy-commissaries of musters, as upon the practice of this distribution the General and Committee shall find needful; and the treasurers-general out of their salary, in regard of this accession to it, to maintain so many deputy treasurers, as the General and the Committee of the Army shall find needful to be employed, and to reside in such several parts of the kingdom as the General shall find convenient for that service.—IV. That, the Security for Arrears being settled as hath been already, and is again hereafter propounded, the parliament would speedily send down commissioners to the Army, and appoint the like for the other forces of the kingdom, to state Accounts and give Debentures; whereby the soldier may, before his disbanding, have his Arrears ascertained to him as a clear debt, to be paid him out of that security; and that one office or registry may be appointed into which all Accounts so taken may be returned, and all Arrears registered to be paid, in order as is hereafter expressed: And for this office we offer, that 2 registers, with 4 clerks, may be allowed to have reasonable salaries out of the revenue, issuing out of the said security; and this we desire may be hastened for the speedier preparation to the work of Disbanding, that such as are to be disbanded may be ready for it by that time the parliament can provide money wherewith to disband any of them; and so, by disbanding the Supernumeraries as fast as may be, way may be made for the speedier lessening and taking off the taxes by degrees. —Now for the Advantage and Benefit of the things here propounded, they will appear as follow, viz. Whereas, upon the former supposition, that the putting of the soldiery, that are to be continued, into a way of constant pay, to depend only upon the disbanding of Supernumeraries, whom the present tax will not extend to pay; it is most evident, as before demonstrated, that none can be put into present pay, but all such go on upon free Quarter so long as until every one of the said Supernumeraries be disbanded; which, whatever may be imagined, though no other difficulties or obstructions should happen than what are now visible, as before mentioned, would not be effected, nor, we doubt, provided for, in 3 or 4 months time; we wish it proved so soon, but we much fear interruptions or delays will happen to make it much longer; and all that while, free Quarter continuing as before, the burden thereof, besides the annoyances, tho' it may fall more lightly upon some parts, and heavier upon others, yet, in the whole, it damnifies the kingdom as much as the said increased contributions come to: the soldier also must have, besides his Quarters, some pay in hand in the mean while, otherwise he can neither subsist nor be kept in order; yet still he accounts, at least, half of his pay for the remaining time in arrear to him; so as that further debts do also grow upon the kingdom's score.—Now, contrariwise, the things we have propounded being granted, that bare contribution answers all; for we dare undertake, within a fortnight after the granting of them, all the forces of the kingdom shall be assigned where and how to receive their Pay constantly till disbanded, and so no more free Quarter shall henceforth be taken; no part of the kingdom any more unequally oppressed thereby; nor any further debt of arrears henceforth incurred upon the kingdom; and the work of disbanding Supernumeraries not at all hindered, but much facilitated thereby; and, as the parliament finds money and safety to disband any of them, they may, by the same degrees, either lessen the tax proportionably, or will have so much more surplusage from thence towards Relief of Ireland, or towards disbanding of others, or any other public uses. —And now, for furtherance and encouragement in the matter of Disbanding, these things aforementioned being granted, we shall, for the Army and the other forces engaged with it, offer and agree to these Rules following: 1. That such of the said forces as shall come to be disbanded as Supernumeraries, shall, out of the monies to be raised upon the security of Arrears, have the full moiety of their arrears first made good to them, as monies come in hereupon, before those which fall out to be continued shall receive any part of theirs; and after that, when those that continue shall have received a like proportion of theirs, then those that shall be disbanded to receive the other moiety, or full remainder, of their Arrears, before these that continue have any more. 2. That those of them that shall disband, shall, as monies come in upon the said security, receive their proportions of Arrears in the same order and course as they disband; of which order and course a remembrance to be kept and registered in the aforesaid registry of these Accounts; the persons of the regiment, troop, or company first disbanding, and so the rest in course, to receive first what was due to them at disbanding, to make up their first moiety, by two equal portions; and likewise to receive their second moiety at twice, by equal portions, in the same course as they disband.—Now, for our Desire in the first proposition aforegoing, to have the Increase of Contribution extended to the proportion of 10,000*l.* a-month, by estimate, over and above what we think the just pay for the soldiery now in being in the kingdom, and not ready for present disbanding, will come to; the reason is partly, that there may be some present certain supply out of it for the forces in Ireland; and partly because, if the contribution should be scant of, or but just answerable to, the pay of the soldiery, the many contingencies and necessary charges, not to be foreseen, and the probable failings of fully levying the contribution in some parts, would necessitate the going of some upon free Quarter, which would disturb the order and constant pay of the whole; and it would also cost much time to proportion the forces to be

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assigned upon the several counties exactly to the contribution of them, which would make it long ere free Quarters could be taken off, since none could be assigned where to be paid, until the pay of each part of the soldiery were exactly computed, and all of them as exactly distributed according to each county's tax: whereas, the taxes being laid to a sufficient proportion above the just pay, we can immediately make distributions and assignments by estimate, so as to be sure the taxes of each county exceed the pay of the soldiers assigned to it: and though some one county have more, and another fewer, soldiers assigned to them than (upon an exact distribution according to the number and pay of the soldiery) their just proportion would come to, yet none having so many but that their taxes will do more than pay them, no part will bear above its due proportion of charge; and those counties which have least number of soldiers assigned upon them, yet will bear their due proportion of charge, either in pay to the soldiers, or in the surplusage of their tax above it; which being collected into the common treasury, will be for the Relief of Ireland, or other publick uses; so as the surplusage, either in particular counties above their particular assignments, or of the whole kingdom's taxes above the Pay of the whole soldiery in it, will be no loss; but (as to some certain and present relief for Ireland out of it, upon the supposition of the 100,000*l.* per month) we shall (besides the surplusage of every county's tax above the pay of the soldiers to be assigned to it) forecast, in the distributions and assignments, to levy the taxes of some counties, and that as many as may be, to come entirely into the common treasury for relief of Ireland, without assigning any of the forces of England to be paid out of them.—And for that power desired for making such Distributions and Assignments, the advantages and benefits of that way of reparation, as to the more sure and ready pay of the soldiers, are sufficiently known and tried; and it is most evident that, without it, (if no soldiers be paid before the monies be first collected in the several counties, and then sent into the common treasury for all the kingdom, and then sent to the head-quarters, or thence distributed to the several forces within the kingdom) it is in vain to think that the soldier can be supplied with money aforehand, or timely enough to make him pay for Quarters; and it is as bad almost not at all as not in time.—We have thus propounded a way, whereby all the Soldiery of the kingdom may be instantly in a condition of constant pay while continued, and thereby be kept in order and discipline; all free Quarter, with the abuses, exactions, annoyances, and unequal pressures that accompany it, immediately taken off; no further Debt of Arrears incurred upon the kingdom, and that which is already incurred, put in a way to be recovered and overcome in time; and whereby the supernumerary forces may shortly be disbanded by degrees, as the parliament can find money to do it, and will be satisfiable to disband with less money in hand, without danger of disobligation therein; and whereby also the additional charge, now propounded, with other burdens of the kingdom, may, by the same degrees, be lessened and eased with safety and satisfaction, until all can be taken off.—And as it is evident that, if such a course as this had been taken sooner, and the parliament, as they found the several parts of the kingdom cleared from the enemy, and eased from the oppressions they suffered under them, had, by degrees, extended an equal contribution over all parts, in proportion sufficient to have paid all their forces, while they continued them, the kingdom had been eased of free Quarter, and no further Debt of Arrears to the soldiery incurred upon it; for, at least, a year and an half ago, those that have been disbanded had not been put off with so much disobligation as some have been; nor had their claims and endless demands since brought such trouble upon, or drawn such vast arrears from, the parliament and kingdom; and those that remain now to be disbanded had been much easier satisfied, and much more readily disbanded; so if such a course, as is here propounded, be not speedily taken, but the putting of the soldiery into a way of pay be left to depend only upon the disbanding all Supernumeraries (and that so unprovided for, or so very uncertain and slowly provided for and proceeded in, as, without this course, it is like to be) it is most evident, (besides unforeseen dangers of discontent, both in the soldiery and country, of difficulties to disband, or interruptions or dissatisfactions in it) that the non-disbanding of some will so long occasion the non-payment of all, and continue free Quarter, with the inconveniences thereof, upon all; and the non-payment of all may hinder the disbanding of any; and so both debts and discontents grow upon the soldiery and kingdom, perhaps, till it passeth either the power of the General and officers to compose the one, or the parliament and kingdom to satisfy the other.—Having therefore sufficiently discharged ourselves in this point, so as we shall, we hope, stand acquitted before God and man, from whatever evils ensue upon any further neglect thereof, we must now declare, That we find the just expectations of the Army herein (especially since the General's late engagements or undertakings at the rendezvous) are so great and earnest; the clamours and outcries to us from other forces and garrisons of the kingdom engaged with the Army, for their extreme necessity, and our apprehended neglect of equal provision for them, are so sad and pressing; the discontents of the country, from the oppressions of free Quarter, are so full, and yet growing, and almost desperate; and the distempers, distractions, and dangers threatened by all these are so vast and imminent, as we can no longer stand under the burthen or blame of them. But if the things here before propounded be not granted and passed effectually,

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or a certain course settled according to the effect of them, by the end of this present week, we can no longer give account of the Army or other forces in a regular way; and unless we find satisfaction in our judgments to take some extraordinary ways of power, we must let the soldiery and the kingdom know that we cannot satisfy their just expectations, and thereupon desire that the charge of the soldiery may be transmitted to others. If the parliament shall approve, and pass what we have here propounded, we must, for the better prosecution and effecting thereof, add, That the superlative backwardness and obstinacy, or disaffection rather, of those within the city, who have thus long with-held their arrears of taxes, so long since due to the Army, may not escape, either with victory therein, or without exemplary suffering at least by strict and speedy levying, as well the penalties as the arrears themselves; and, for that purpose, that the parliament would reassume the consideration of the General's late Letters about that business to the Committee of the Army, and also review that to the lord mayor and common council; wherein the ill consequences, both of the wilful neglect of the thing, and of the Army's withdrawing to a further distance before it be done, or of its continuing longer hereabouts in the dilatory, perhaps fruitless, expectation thereof, from the city's own actings therein, may sufficiently appear.—To which we add, that till it be done effectually, and sharply to some, the distribution of the forces to several committees to be paid according to what is before propounded, can neither be effectual nor safe; and we must therefore desire that, (unless it be thought fit that the whole kingdom should groan still under the oppression of free Quarter, and these adjacent counties be undone chiefly, while those of the city, that occasion all, sit free from any taste of it) there may be no longer stop to the drawing in of the Army, or a considerable part of it, to quarter upon them in the city, who had not paid before the said Letters, until they shall have paid both the arrears and full penalties; and though our tenderness of that city's safeguard and welfare, and our clearness from the least thought of evil towards it, or base design to make the least advantage to ourselves or the Army by it, hath sufficiently appeared in all our former demeanments, and in our carriage of the business upon our late advance towards it, notwithstanding the just occasions and great provocations there so newly given, as also in our innocent march towards it, and the quiet and patient waiting about it for those long due Arrears, without quartering any soldiers in it; yet now, in justice, we cannot but desire that, besides the levying of the Arrears at last, for which we have been put to a stay so long, there may now likewise some reparation be thought on from the city to the parts adjacent, for above 100,000*l.* damages sustained through the Army's attendance here on the city's defaults and delays; which reparation we, if necessitated thereto, or called upon by the country, must in their behalf, demand from the city to the full; and now also the rather, in order to that, we must earnestly desire that the Proceedings against those citizens, and others lately impeached, may be hastened; and, out of their fines or confiscations, some part of reparation may be made to the counties adjacent for the aforesaid damages, which the crimes of those persons, and others in the city, did first bring upon them: and, indeed, without something done against these persons, for examples to others, before the Army's withdrawing, we do not see, when it shall withdraw, with what safety or freedom the parliament can sit longer at Westminster; especially when we find the common-council, through the parliament's and Army's lenity, do take the boldness already, in the face of both, to intercede for the release and acquittal, or rather justification, of those impeached persons who indeed are but fellow-delinquents we doubt, to most of that council; as if that so active, immediate, and horrid a force upon both the houses of parliament, and upon levying a war in abetment and prosecution thereof, and of that concurrent treasonable Engagement, were already forgotten by them to have been any crime; the consideration whereof, and of the renewed confidence of Mr. Gawen, and some other members of parliament, known to have been partakers, if not principals, in the same things, (who yet presume, and are suffered, to appear again in the house, as if in those things there had not been so much a fault as to render them less worthy of continuing in that highest trust) makes us begin to fear that while so much of the same leaven (this lenity and moderation) is left behind, it may shortly spread till even the worst of the Eleven (notwithstanding their doubled crimes) be again called for in; unless the house, by some exclusive Resolutions and Proceedings, do timely prevent the same. We hope therefore, the parliament will weigh these things; and speedily, ere it be too late, consult at least their own safety and the kingdom's, if not ours and the Army's, their poor servants, and something concerned with them, especially in this affair.—Next, we again more importunately desire, that those other so near concernments of the Soldiery, expressed in the General's late Remonstrance at the rendezvous, may be speedily considered, and fully and effectually provided for; in order to which we shall here more particularly propound as follows: 1. As to Security for Arrears: Whereas in the late Votes, or Proposition intended for that purpose, the two thirds of the lands or compositions of certain delinquents, assigned towards the said security, is only of the delinquents within the three first Qualifications of the 12th Proposition; we desire that they may be altered so as to be two thirds of the lands or compositions of all the delinquents that have not yet compounded. And next we

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must desire, that dean and chapter-lands may be added, with a proviso for reasonable satisfaction or maintenance to such persons as, having a present lawful interest in any of the revenue thereunto belonging, have not forfeited the same by delinquency. These Additions are desired, because the security as yet voted is justly estimated not to be sufficient; and since all that is propounded is but for security, if the security prove to exceed the Arrears really due, the surplusage will be free for any other public use, so as the state will not be damnified by any of these additions to the security. Lastly, as to this business, we desire that the matter of Security, being resolved on as desired, may be passed into an Ordinance, and thereby be put into a speedy and effectual way of raising monies thereupon. 2. For matter of Indemnity: That, if no Indemnity more absolute can be provided to free the soldiery from all question for things done in the war, but that they must, in case of question at law, fly to some committee or commissioners for relief, it may be provided for the ease of all, that either under the grand Committee of Indemnity, or otherwise by the immediate appointment of parliament, there may be commissioners in each county, impowered to give relief in such cases as the grand committees now are; and those commissioners to be such as ordinarily reside in the respective counties, and mixt of such as have been military officers to the parliament, together with such inhabitants as have appeared and been faithful to the parliament in the late war; for which purpose we shall, if admitted, offer names; and that there may be a severe penalty laid upon judges and other officers of justice, in case they shall proceed against any, contrary to the Ordinance for Indemnity. 3. That a sufficient provision be made in a certain and no dishonourable way, for the relief and support of maimed Soldiers, and the Widows and Orphans of men that died in the service, to continue during the lives of the maimed soldiers and widows, and during the minority of their orphans; and that the same commissioners, to be appointed in each county for Indemnity as aforesaid, or others in like manner mixt, may be impowered for this purpose also. And in case of the death of any such commissioners, or their departure out of their respective counties, those that survive and remain may chuse new ones to fill up the number. 4. That for the just Freedom of Apprentices who have served the parliament, there may be a sufficient penalty laid upon the masters refusing or delaying to give the same when their times are out, accounting the time that they served in the war as part; and that the Apprentice may have his action at law for that penalty. 5. For Freedom from impressing: That (as no freeman of England may be impressed for any foreign service, or other than for the immediate defence of it, so) no soldier that hath voluntarily served the parliament in the late wars for the liberty of the kingdom, may be liable to be pressed for any military service at all; and that it may be promised that a certificate of his said service, as a volunteer, under the hand and seal of his colonel, or other field-officer under whom he hath served, may be a sufficient protection and discharge to him from any such impressing.—Having thus discharged ourselves of these matters, which are our most proper and immediate concerns, the business of the Soldiery, we must now redouble our desires, that the two first (concerning putting them into constant Pay, while continued, and provision for their Arrears) may be first considered, and immediately settled, before any other business; and then that the rest of them may be also provided for as soon as may be.—Now, though the two first of these want not their equal concernments to the kingdom, in the present taking off the oppression of free Quarter, preventing the increase of Arrears, and providing or preparing for the more easy and satisfactory disbanding of Supernumeraries, and thereby the better easing of the kingdom's burdens by degrees; yet we cannot, by any of our addresses of this kind, so far forget those things we have formerly declared, concerning more nearly the public interest of the kingdom, and ourselves as members of it, but we must herewith renew our humble and earnest Desires that no time may be lost by the parliament for the just consideration and dispatch of those things, both for the redress of common grievances, relief of the oppressed, and for the liberty, security, quiet, and some safe settlement of the kingdom; and more especially that the things of this nature, expressed in the late Remonstrance at the rendezvous, may, in such settlement, be fully and effectually provided for, and that with all possible expedition. And it is our hearts desire and hope that therein the proceedings and resolutions of the parliament may be such, and so timeous, as that we need not any more to remind the parliament in any of those things; which (as far as with truth, or any safety to that most obliging interest of the public, and to those that have engaged for it, we may forbear) we are most unwilling, and take no pleasure, to meddle in.—By Appointment of his Excellency sir Thomas Fairfax and the Council of the Army, Jo. Rushworth, Sec. Windsor, Dec. 5, 1647."

The lords took no notice of this long Remonstrance, further than in reading of it, and referring it all to the commons: That house appointed a committee to consider of it, who the next day reported, it was their opinion, That all the supernumerary Forces in the kingdom should be disbanded.

Another Message from the King, pressing for a personal Treaty.] Dec. 9. This day came a Message from the King to the parliament, which was read in the house of lords, and ordered to be sent presently down to the commons; and that committees of both houses do communicate this Message also to the Scots Commissioners:

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To the Speaker of the House of Peers, pro tempore, to be communicated to the Lords and Commons in the Parliament of England at Westminster, and the Commissioners of the Parliament of Scotland: Carisbrook-Castle, Dec. 6, 1647.

"C. R. Had his majesty thought it possible that his two houses could be employed in things of greater concernment than the Peace of this miserable distracted kingdom, he would have expected, with more patience, their leisure in acknowledging the receipt of his Message of the 16th of Nov. last. But since there is not in nature any consideration preceding to that of Peace, his majesty's constant tenderness for the welfare of his subjects hath such a prevalence with him, that he cannot forbear the vehement prosecution of a Personal Treaty; which is only so much the more desired by his majesty, as it is superior to all other means of Peace. And truly when his majesty considers the several complaints he daily hears from all parts of this kingdom, that trade is so decayed, all commodities so dear, and taxes so insupportable, that even natural subsistence will suddenly fail; his majesty, to perform the trust reposed in him, must use his uttermost endeavours for Peace, though he were to have no share in the benefit of it. And hath not his majesty done his part for it, by divesting himself of so much power and authority, as by his last Message he hath promised to do, upon the concluding of the whole Peace? and hath he met with that acknowledgment from his two houses which this great grace and favour justly deserves? surely the blame of this great retarding of Peace must fall somewhere else than on his majesty.—To conclude: if you will but consider in how little time this necessary good work will be done, if you, the two houses, will wait on his majesty with the same resolutions for Peace as he will meet you, he no way doubts but that you will willingly agree to this his majesty's earnest desire of a Personal Treaty, and speedily desire his presence amongst you; where all things agreed on being digested into acts, (till when it is most unreasonable for his majesty or his two houses to desire each of other the least concession) this kingdom may, at last, enjoy the blessings of a long-wished-for Peace."

Four Bills to be presented to the King for the Royal Assent.] Dec. 11. A message was brought from the house of commons by Mr. Selden, desiring the lords concurrence to four Bills to be presented to his majesty for his royal assent; and in case the lords do agree to the said Bills, then the commons also desire their lordships concurrence to some Instructions as to the manner how they shall be sent to the king.

The Titles of the Bills were these:

1. An Act concerning the raising, settling, and maintaining Forces by Sea and Land within the Kingdoms of England and Ireland, and Dominion of Wales, the Islands of Guernsey and Jersey, and the Town of Berwick upon Tweed.

2. An Act for justifying the Proceedings of Parliament in the late War; and for declaring all Oaths, Declarations, Proclamations, and other Proceedings against them, to be void.

3. An Act concerning Peers lately made, or hereafter to be made.

4. An Act concerning the Adjournment of both Houses of Parliament.

Instructions for Basil Earl of Denbigh, Edward Lord Montague, Mr. Bulkley, Mr. Lisle, Mr. Kemp, and Mr. Robert Goodwin, to go with the four BILLS to the King.

"You, or any three of you, whereof one member of the house of peers, and two members of the house of commons to be present, are to repair to his majesty with these Bills, and pursue these Instructions: To attend his majesty for the space of ten days, and no longer, and to return back to the said houses respectively with his majesty's Answer."

The Lords read all the above mentioned Bills twice this day, with the Instructions to the Commissioners concerning the manner of presenting them to the King. On the 14th, they were all read a third time, and passed without any division. But it is remarkable that the Instructions only, not the Bills, were ordered to be communicated to the Scots Commissioners for their consent: a circumstance which proved a bone of great contention between the two kingdoms afterwards.—These four Bills, and the Propositions annexed, were formed upon the plan of those presented to his majesty at Newcastle in July 1646, which will be found at p. 499; but there are some very great and essential differences (both of addition and omission) from what was then agreed on by the commissioners of both kingdoms. These alterations, which chiefly affected the Rights of the Crown, the Solemn League and Covenant, Presbyterian Church-Government, Indulgence to tender Consciences, and Matters of joint Interest, gave so great Offence to the Commissioners of Scotland, that they presented several very warm Remonstrances against them to both houses of the English parliament; to which the latter paying little or no regard, the others publicly protested against the King's giving his consent to these four Bills and Propositions.*

* "The King," says Hume, "in order to remove those fears and jealousies, which were perpetually pleaded as reasons for every invasion of the constitution, had offered, by a message sent from Carisbroke Castle, to resign, during his own life, the power of the Militia, and the nomination to all the great offices; provided that, after his demise, these prerogatives should revert to the crown. But the parliament acted entirely as victors and enemies; and, in all their transactions with him, payed no longer any regard to equity or reason. At

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Dec. 14. This being the day appointed for the commons to bring up their Articles of Impeachment against the Seven Lords; and they not appearing to support their Charge, a committee of lords was appointed to consider of precedents in this case, and to offer somewhat to the house to prevent the like for the future.

Dec. 15. A report was made to the lords, that the late Instructions were delivered to the Members that were appointed to go to the King, and also to the Scots Commissioners; the latter of whom desired to know what those Bills were that were to be sent: to which it was answered, That they had no authority to communicate them; whereupon the Scots Commissioners delivered in a Paper desiring to see the said Bills.

Dec. 16. A Message was brought from the commons by Mr. Selden, to acquaint their lordships that the members of their house, who are of the Committee of both Kingdoms, reported a Paper, dated the 14th instant, which they received from the Scots Commissioners, wherein it is desired that the Bills which the houses intend to send to the king, may be communicated to them; that the commons have passed the following Resolutions by way of Answer to that Paper, wherein they desired their lordships concurrence; and if their lordships do agree, that then they may be delivered to the Scots Commissioners this afternoon. 1. "That the privilege, right, and custom of the kingdom and parliament of England is, that Bills passed both houses, to be presented to the king for his royal assent, are not to be communicated to any other whatsoever, either in relation to matter or form, before his Answer thereunto given; and that there is nothing contained in any Article of Treaty between the two kingdoms to the contrary. 2. That the two houses having resolved to send their Commissioners to the King, in the Isle of Wight, on Monday next, with the Bills and Propositions in the Instructions mentioned, according to the same Instructions communicated to the Scots Commissioners; the houses desire that such Propositions as those commissioners shall judge fit and necessary for the kingdom of Scotland, may be prepared, to be sent within the time aforesaid." To these Resolutions the lords agreed.

Dec. 17. A long Remonstrance from the Scots Commissioners, against sending the four Bills to the king without their having first perused them, and given their consent to them, was presented to the house of lords. The Answer agreed on by both houses to the said Remonstrance, was only this: "That the present condition of the affairs of this kingdom will not admit of any long delay in sending commissioners of parliament to the King, according to their Instructions lately communicated unto your lordships; and therefore the houses are resolved the commissioners shall go on Monday next. That the Papers from your lordships to the houses are so long, that a present Answer to them cannot be expected from the houses: but the houses will take them into consideration with all convenient speed; and do not doubt but to clear it to your lordships, and all the world, that they have proceeded therein without any violation of the Treaties; and therefore, they are very sensible that such aspersions should be laid upon the houses; and desire they may be forborne for the future; and, in the mean time, they have now sent to offer it to your lordships, if your lordships have any thing to present to the King, in behalf of the kingdom of Scotland, that it may be ready to be sent at the same time, when the commissioners of both houses are appointed to go with those things which are to be presented to his majesty in the behalf of the kingdom of England."

Further Orders for abolishing the Observance of Christmas.] Dec. 25. This being Christmas-Day both houses met, as they had usually done for some years past. The day before the commons had ordered a Declaration to be forthwith printed and published, "That whereas the house had been informed divers persons, within the city of London and lines of communication, for their obedience to the Ordinance of parliament for non-observance of such days as were usually called Holydays, and for opening their Shops on Christmas-Day and such other Festival Days, had suffered very many and great affronts, abuses, and prejudice," it was ordered, "That the several and respective committees of the Militia of London, Westminster, the Hamlets and Borough, do take care that no such like disturb-

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the instigation of the Independents and Army, they neglected this offer, and framed four Proposals, which they sent him as preliminaries; and, before they would deign to treat, they demanded his positive assent to all of them. By one, he was required to invest the parliament with the military power for 20 years, together with an authority to levy whatever money should be necessary for exercising it: and even after the 20 years should be elapsed, they reserved a right of resuming the same authority, whenever they should declare the safety of the kingdom to require it. By the second, he was to recal all his Proclamations and Declarations against the Parliament, and acknowledge that assembly to have taken arms in their just and necessary defence. By the third he was to annul all the acts, and void all the Patents of Peerage, which had passed the great seal, since it had been carried from London by Lord Keeper Littleton; and, at the same time, renounce for the future the power of making peers without consent of parliament. By the fourth, he gave the two houses power to adjourn as they thought proper: a demand seemingly of no great importance; but contrived by the Independents, that they might be able to remove the parliament to places where it should remain in perpetual subjection to the Army."

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ance be made on Christmas-Day by any malignants or others." *

Dec. 27. A Letter was brought from the earl of Denbigh, one of the Commissioners sent to the King, dated from Newport, in the Isle of Wight, Dec. 24, importing only, That he, with the rest of the Commissioners, presented the four Bills and Propositions to his majesty, at two that afternoon: That the King was pleased to say, "He was assured they could not expect a present Answer; but he would take the same into consideration, and give his Answer in a few days."

The Scots Commissioners Protest, delivered to the King, against the Propositions of Peace.] Dec. 28. Another Letter from the earl of Denbigh was read, inclosing a copy of a Paper from the Scots Commissioners, presented to the King. This is all that is entered in the Journals, relative to this affair, on this day; but two days after, another Entry explains the meaning why these copies are wanting, viz. "Resolved, upon the Question, That the Letter of the earl of Denbigh, from the Isle of Wight, and the Paper inclosed, shall be put out of the Journal entered on Tuesday." We may conclude, therefore, that the inclosed Paper was some Protestation of the Scots Commissioners against the four Bills now sent to the King, and which the lords would not honour so much as to give it a place in their Journals. However, this Declaration is preserved in Rushworth's Collections, and Royston's Edition of the King's Works, from which authorities we give it.

"May it please your majesty; There is nothing which we have more constantly endeavoured, and do more earnestly desire, than a good agreement and happy Peace between your majesty and your parliaments of both kingdoms; neither have we left any means unessayed, that, by united councils with the houses of the parliament of England, and by making joint applications to your majesty, there might be a composure of all differences: but the new Propositions communicated to us by the houses, and the Bills therewith presented to your majesty, are so prejudicial to religion, the crown, and the union and interest of the kingdoms, and so far different from the former proceedings and engagements betwixt the kingdoms, as we cannot concur therein: therefore we do, in the name of the kingdom of Scotland, dissent from these Propositions and Bills now tendered to your majesty. Loudon, Lauderdale, Cha. Erskine, Hen. Kennedy, Robert Barclay."

Dec. 31. A third Letter from the earl of Denbigh came to the lords, and was read; intimating only, That he, with the rest of the Commissioners, were on their return from the King, to attend the two houses; and that if their lordships and the house of commons would sit that afternoon, he might have opportunity to give an Account of the employment they were pleased to intrust him with. Dated at Bagshot, Dec. 31, five in the morning.

The King's Answer to the four Bills and Propositions presented to him in the Isle of Wight.] Dec. 31. p. m. The earl of Denbigh gave the lords an Account, That he and the rest of the Commissioners had presented the four Bills and the Propositions to his majesty, and that he had given them this Answer in writing, which his lordship delivered to the house, and was read, in hæc verba:*

For the SPEAKER of the Lords House, pro tempore, to be communicated to the Lords and Commons in the Parliament of England at Westminster, and the Commissioners of the Parliament of Scotland.

"C. R. The necessity of complying with all engaged interests in these great distempers, for a perfect settlement of Peace, his majesty finds to be none of the least difficulties he hath met with since the time of his afflictions; which is too visible, when at the same time that the two houses of the English parliament do present to his majesty several Bills and Propositions for his consent, the Commissioners for Scotland do openly protest against them: so that were there nothing in the case but the consideration of that difference, his majesty cannot imagine how to give such an Answer to what is now proposed, as thereby to promise himself his great end, a perfect Peace.—And when his majesty farther considers how impossible it is, in the condition he now stands, to fulfil the desires of his two houses; since the only antient and known ways of passing laws are either by his majesty's personal assent in the house of peers, or by commission under his Great Seal of England, he cannot but wonder at such failings in the manner of address, which is now made unto him; unless his two houses intend that his majesty shall allow of a Great Seal made without his authority, before there be any consideration had thereupon in a Treaty: which as it may hereafter hazard the security itself, so, for the present, it seems very unreasonable to his majesty. And though his majesty is willing to believe that the intention of very many in both houses, in sending these Bills before a Treaty, was only to obtain a trust from him, and not to take any advantage, by passing them, to force other things from him, which are either against his conscience or honour; yet his majesty believes it clear to all understandings, that these bills contain as they are now penned, not only the divesting himself

* Instead of the usual Feastings at this season, Mr. Whitlocke informs us, "That some officers kept a Fast; where Cromwell, Ireton, col. Tichburne, and other officers, prayed and exhorted, from Scripture, to unity and obedience to command." This he adds, they did to be re-admitted into the favour of the General and his Council, whom they had slighted.

* From the original Edition, printed for Richard Royston, at the Angel in Ivy-Lane.

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of all sovereignty, and that without possibility of recovering it, either to him or his successors, except by repeal of those Bills, but also the making his concessions guilty of the greatest pressures that can be made upon the subject; as in other particulars, so by giving an arbitrary and unlimited power to the two houses for ever, to raise and levy forces, for land or sea service, on what persons, without distinction or quality, and to what numbers, they please: and likewise, for the payment of them, to levy what monies, in such sort and by such ways and means, and consequently upon the estates of whatsoever persons, they shall think fit and appoint; which is utterly inconsistent with the liberty and property of the subject, and his majesty's trust in protecting them. So that, if the major part of both houses shall think it necessary to put the rest of the Propositions into Bills, his majesty leaves all the world to judge how unsafe it would be for him to consent thereunto: and if not, what a strange condition, after the passing of these four Bills, his majesty and all his subjects would be cast into?—And here his majesty thinks it not unfit to wish his two houses to consider well the manner of their proceeding; that when his majesty desires a Personal Treaty with them for the settling of a Peace, they, in Answer, propose the very subject matter of the most essential parts thereof to be first granted: a thing which will be hardly credible to posterity. Wherefore his majesty declares, That neither the desire of being freed from this tedious and irksome condition of life his majesty hath so long suffered, nor the apprehension of what may befall him, in case his two houses shall not afford him a Personal Treaty, shall make him change his resolution of not consenting to any act till the whole Peace be concluded. Yet then he intends not only to give just and reasonable satisfaction in the particulars presented to him, but also to make good all other concessions mentioned in his Message of the 17th Nov. last; which he thought would have produced better effects than what he finds in the Bills and Propositions now presented unto him. And yet his majesty cannot give over, but now again earnestly presseth for, a Personal Treaty, (so passionately is he affected with the advantages which Peace will bring to his majesty and all his subjects) of which he will not at all despair, there being no other visible way to obtain a well-grounded Peace: however, his majesty is very much at ease within himself, for having fulfilled the offices both of a Christian and of a King; and will patiently wait the good pleasure of Almighty God, to incline the hearts of his two houses to consider their king, and to compassionate their fellow-subjects miseries. Given at Carisbrook-Castle in the Isle of Wight, Dec. 28, 1647."

The lords, after reading this message, ordered that the earl of Denbigh should have thanks given him for his prudence and faithfulness in the carriage of this business; and desired that his lordship would put down the particulars he mentioned in writing. Ordered also that the King's Message should be taken into consideration the next morning.

A strict Guard ordered to be kept over the King.] January 1. The lords passed a Vote of Approbation of sir Tho. Fairfax's conduct in relation to the King; and that he be desired to take special care, by his orders, for securing the person of his majesty. They likewise ordered a Letter to be sent to col. Hammond, authorizing and requiring him to keep a strict Guard over the King, and that he do obey such orders and directions therein as he shall receive from the General or both houses of parliament.

Order of the Commons for laying down their Privileges.] Jan. 4. The commons having voted and passed a very great business in regard to the King, which immediately follows, applied themselves to make some salutary Orders and Ordinances, in respect to the public, and the general good of the nation. They first appointed a very great Committee of their house, to consider of such Grievances as had been promised to the people to be redressed; and to give such ease to their burdens, their freedoms and liberties, as was fitting. They were also to consider of reforming the Courts of Justice and Proceedings at Law, Matters of Trade, and all other things of public concernment, which they might hold fit to be done for the good and weal of the people. This Committee were ordered to prepare Bills or Ordinances on these matters, and present them to the house; and, in order to begin this good work well and at the right end, they first made a reformation in their own house, by passing the following Order concerning the Members of it laying down their Privileges:

"The commons, in this present parliament assembled, having a tender regard to the general good of this kingdom, and considering the many weighty affairs which have prolonged this present session of parliament; during which time by reason of the Privileges of parliament, the prosecution of just suits may be too much delayed; for the present remedy thereof, the said commons, being willing to forbear, for some time, their own interest and privilege, for the public good; do order, and be it ordered by the commons in this present parliament assembled, That no person or persons, under the authority of the said house, except the members thereof, shall, from the 20th of this instant Jan. 1647, during this present session of parliament, have any protection or immunity, by reason of any privilege of the said house of parliament, or derived from the Members thereof, or any of them, in any action or suit for debt, or any action or suit grounded upon any right or title to any lands, tenements, or hereditaments; or upon any contract upon borrowing or lending, or buying or selling; or grounded upon any security given, or to be given, by lease, mortgage, or otherwise, for any sum or sums of money. And it is hereby further ordered, during this

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present session of parliament, in the cases aforesaid, That the Members of the said house of parliament, and every of them, their lands, tenements, hereditaments, goods and chattels, shall be subject to any action, suit, process, execution, decree, or other demand whatsoever, in law or equity, (so that the same extend not to the imprisonment or arrest of the person) or to prosecution upon any penal law. And be it further ordered, That every member of this house, having process delivered him for appearance in the cases aforesaid, do accordingly make his appearance; or, in default, this house, on complaint thereof, will take such course therein, as to justice shall appertain."

Votes passed by both Houses against any further Addresses to the King.] On the same day, the lords received a Message from the commons, by Mr. Lisle and others, along with some Votes that had passed their house, against any farther Address or Application to the King, which were read; but as these Votes were of the utmost importance, their lordships appointed the 8th instant to take them into consideration; and all the lords, in and about the town, were ordered to attend the service of the house that day, without any excuse or delay.

Jan. 7. The lords ordered that Mr. Marshall and Mr. Calamy do attend that house the next morning at 9 o'clock, to seek God by Prayer, before their lordships begin with the great business of the day: but there not then being such an appearance of lords as was expected, the affair was again put off to the 13th; and an Order was made for summoning the absent peers to attend on that day, and not to depart without leave. Accordingly,

Jan. 13. The last Votes of the commons were again taken into consideration, and they were first read in gross, and then each Vote distinctly. The house being adjourned into a committee during pleasure, so long a debate ensued thereon that the lords could not conclude the matter on this day, but ordered it to be renewed the first business the next morning.

Jan. 14. The lords went again upon this affair; and the first Vote being read, the house adjourned into a committee, when another debate arose upon it, which continued so long that all the lords could determine upon this day also, was to appoint a Committee to consider of, and offer something to the house upon, these debates.

Jan. 15. The lords being met, and some other business done, the earl of Denbigh reported a Paper from the Committee appointed the day before, containing this Preamble to the Votes brought up from the house of commons:—"The lords and commons assembled in parliament, after many Addresses to his majesty for the preventing and ending of this unnatural war raised by him against his parliament and kingdom, having lately sent four Bills to his majesty, which did contain only matter of safety and security to the parliament and kingdom, referring the composure of all other differences to a Personal Treaty with his majesty; and having received an absolute negative, do hold themselves obliged to use their utmost endeavours speedily to settle the present government in such a way as may bring the greatest security to this kingdom in the enjoyment of the laws and liberties thereof; and in order thereunto, and that the houses may receive no delays nor interruptions in so great and necessary a work, they have taken these Resolutions, and passed these Votes, viz. 1. That the lords and commons do declare that they will make no further Addresses or Application to the King. 2. That no Application or Addresses be made to the King, by any person whatsoever, without the leave of both houses. 3. That the person or persons that shall make breach of this Order, shall incur the penalties of high treason. 4. That the two houses declare they will receive no more any Message from the King; and do enjoin that no person whatsoever do presume to receive or bring any Message from the King to both or either of the houses of parliament, or to any other person."

It is remarkable that there were but two lords, the earls of Warwick and Manchester, that entered their Protest against concurring with the house of commons in these Votes: and this they did without assigning any reasons for their dissent; but only, as the custom then and more antiently was, to ask leave of the house, before the putting of the question, to enter their Dissent if the question was carried against them.

The same day the commons agreed to the foregoing Preamble, and sent to the lords two Orders in consequence of the former Votes, which their lordships read and agreed to. 1. "That this Declaration and these Resolutions shall be forthwith printed and published, and that the several knights of shires, and burgesses that serve for the several towns and places, do send copies of the same to their several counties and places. 2. That whatsoever person shall act contrary to this Declaration and Resolutions of parliament, or shall incite or encourage other persons so to do, shall, upon due proof thereof be imprisoned, and his estate sequestered; and the offenders in the premises, after publication hereof, shall be within the several Ordinances for Sequestrations; and all commissioners and committees of sequestrations are hereby authorized and required to take notice hereof, and proceed to sequestration accordingly."

Debate on the foregoing Votes in the House of Commons.] Notwithstanding the several days debate in the house of lords, upon the Votes against any further Addresses or Application to the King, we do not meet with any account of the arguments urged in that house, pro or con, upon this most important question: but a contemporary writer, and a member of the house of commons at this time, informs

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us, * That when the King's Answer to the four Bills and Propositions of Peace was debated in that house on the third instant,

Sir *Thomas Wroth* spoke to this purpose: 'That Bedlam was appointed for mad-men, and Tophet for Kings: that our kings of late had carried themselves as if they were fit for no place but Bedlam: that his humble motion should consist of 3 parts: 1. To secure the King, and keep him close in some inland castle with sure guards. 2. To draw up Articles of Impeachment against him. 3. To lay him by, and settle the kingdom without him: He cared not what form of government they set up, so it were not by Kings and devils.' Then

Commissary *Ireton*, seeming to speak the sense of the Army, under the notion of many thousand godly men, who had ventured their lives to subdue their enemies, said after this manner, 'The King had denied safety and protection to his people by denying the four Bills: that subjection to him was but in lieu of his protection to his people; this being denied, they might well deny any more subjection to him, and settle the kingdom without him: that it was now expected, after so long patience, they should shew their resolution, and not desert those valiant men who had engaged for them, beyond all possibility of retreat; and would never forsake the parliament, unless the parliament forsook them first.' —After some more debate,

General *Cromwell* brought up the rear: and, giving an ample character of the valour, good affections, and godliness of the Army, argued, 'That it was now expected the parliament should govern and defend the kingdom by their own power and resolution, and not teach the people any longer to expect safety and government from an obstinate man, whose heart God had hardened: that those men, who had defended the parliament from so many dangers with the expence of their blood, would defend them herein with fidelity and courage against all opposition. Teach them not by neglecting your own and the kingdom's safety, in which their own is involved, to think themselves betrayed, and left hereafter to the rage and malice of an irreconcilable enemy, whom they have subdued for your sake; and therefore are likely to find his future government of them insupportable, and fuller of revenge than justice; lest despair teach them to seek their safety by some other means than adhering to you who will not stick to yourselves. And how destructive such a resolution in them will be to you all, I tremble to think, and leave you to judge.'—Our author adds, That Cromwell laid his hand upon his sword at the latter end of his speech, which having something of menace in it, was thought very prevalent with that house: and accordingly we find by the Journals, That the first of the four Resolutions being carried in the affirmative by 141 voices against 92, the rest were passed without any division. The same writer imputes the concurrence of the lords in these Votes against the King, on the 15th, to a letter sent the day before to sir Thomas Fairfax, by order of the house of commons, requiring him to send a convenient number of foot to garrison Whitehall, and a party of horse to quarter in the Mews.

After all this, the commons passed a Vote to give power to colonel Hammond and sir Wm. Constable, to require and injoin them to remove, from their attendance on the Person of the King, all such persons as they, in their judgments, had suspicion of to be prejudicial to the safety and security of his person, or to the discharge of that trust which was laid upon them; notwithstanding such persons were appointed to attend the King by order of both houses. The house also ordered, That it be referred to the Committee of the Revenue to consider what persons are fit and necessary to attend on the King's Person, and which way the expences might be conveniently retrenched. An Ordinance for taking away and utterly abolishing all the First Fruits and Tenths payable to the crown, and discharging all arrears due to it on that score, was put to the question, Whether to reject it or not? and carried in the negative, by 44 against 36.

Declaration of the Army, of their Resolutions to adhere to the Commons in their Proceedings against the King; and to support the Peerage.] These vigorous Resolutions of the parliament against the King gave so great satisfaction to the Army, as to produce two Declarations from that body.* The first was addressed to the

* Clement Walker, esq. member for Wells, in his History of Independency. See also lord Clarendon's History, vol. v. p. 91, et seq.

* "It is very true," says lord Clarendon, "that within few days after the King's withdrawing from Hampton-Court, and after it was known that he was in the Isle of Wight, there was a meeting of the General Officers of the Army at Windsor; where Cromwell and Ireton were present, to conclude what should be done with the King. For, though Cromwell was weary of the Agitators, and resolved to break their meetings, and though the parliament concurred in all he desired, yet his entire confidence was in the officers of the Army; who were they who swayed the Parliament and the Army itself, to bring what he intended to pass. At this conference, the preliminaries whereof were always fastings and prayers, made at the very Council by Cromwell or Ireton, or some other *inspired* person, as most of the officers were, it was resolved, 'That the King should be prosecuted for his life as a criminal person.' The great approach they made towards this, was, their Declaration that they would make no more Addresses to the King, that by an inter-regnum they might feel the pulse of the people, and discover how they would submit to another form of government." History of the Rebellion, vol. v. p. 92.

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house of commons, and presented on the 11th of this month by sir Hardress Waller, with this submissive Introduction, "That the General had commanded seven colonels of them, with other officers of rank and quality, in the name of the whole Army, to make their humble Addresses, and represent their Intentions in writing, under the title of a Declaration; with this reference, that it should either have name or life, and be exposed to view, according as it should receive approbation and direction from the house of commons." The Officers being withdrawn, the Paper by them delivered in was read, intitled, 'A Declaration from his Excellency sir Tho. Fairfax and the General Council of the Army, of their Resolutions to adhere to the Parliament in their Proceedings concerning the King;' and signified at the end, that it was resolved on nem. con.

"Windsor, Jan. 9, 1647.

"Notwithstanding the high violation of the kingdom's rights and liberties, and the endeavours to swallow up the whole interest of the kingdom into the power and will of a King, which the present king's reign hath afforded; we have observed that this parliament was, through his necessities and against his declared intentions to the contrary, called and put into a condition of vindicating the kingdom in those things; and hath yet acted with great tenderness towards the king, (as to any thing of right that might be in him, or duty towards him) as appears by the Protestation, Covenant, and many Declarations published by them: they have held forth a careful regard to the preservation of the King's Person and just rights, with and in the preservation and vindication of the public interests and safety of the kingdom; and, by the whole service of their actions, and their manifold humble Addresses to him for the preservation and settlement of all, they have, we conceive, abundantly demonstrated the reality and innocency of their intentions towards him: in all which we have still understood the sense and intention to be no other, than that the preservation of the King's Person and particular Rights should be so endeavoured as it might be consistent with, and not destructive to, those great and more obliging public interests of religion, and the rights, liberties, and safety of the kingdom; and not otherwise. And accordingly in the late Declarations and Papers that have occasionally passed from this Army, as to our Desires of settlement to the kingdom, we have expressed our real wishes, that if the king would, in things necessary and essential to the clearing, settling, and securing of those public interests, give his concurrence to put them past future dispute; then his rights should be considered and settled, so far as might be consistent with those superior interests of the public, and the security thereof for the future. And that by an address to the King, upon things so purely essential to those public ends, it might once more come to a clear trial, whether we could, with the preservation of the King's Person and particular interests, have a security to the other, it hath been our earnest desire, our great expectation, and our endeavour, that we and others might be in a patient waiting for such an issue.—Now in the parliament's last Address to the King, we find they have insisted only upon some few things, so essential to that interest of the kingdom which they have hitherto engaged for, as that, without betraying the safety of the kingdom and themselves, and all that engaged with them in that cause; without denying that which God in the issue of this war hath borne such a testimony unto, they could not go lower; and (those things granted) they have offered to treat for all the rest. Thus we account that great business of a Settlement to the kingdom, and security to the public interest thereof, by and with the king's concurrence, to be brought to so clear a trial, as that (upon the King's denial of those things) we can see no further hopes of settlement or security that way. And, therefore, understanding that, upon the consideration of that denial added to so many others, the honourable house of commons, by several Votes upon the 3rd instant, have resolved to make no further Address or Application to the King, nor receive any from him, nor to suffer either in others; we do freely and unanimously declare, for ourselves and the Army, That we are resolved, through the grace of God, firmly to adhere to, join with, and stand by, the parliament in the things voted, on Monday last, concerning the King, and in what shall be further necessary for prosecution thereof; and for the settling and securing of the parliament and kingdom without the king, and against him, or any other that shall hereafter partake with him.—By the Appointment of his Excellency sir Tho. Fairfax and his Council of War, Jo. Rushworth, Secretary."

This Declaration being read a second time, the commons voted their approbation thereof; ordered their Thanks to be returned to the General and the Army for it; and that the same be forthwith printed and published.

The following Declaration was presented to the house of lords by the same Officers that had attended the commons with the foregoing:

"The General and his Council of War taking notice of some unworthy endeavours to asperse the integrity of their proceedings, as aiming at the overthrowing of Peerage, and undermining of the rights and privileges of the house of peers, do unanimously declare, That they hold themselves obliged, in justice and honour, to endeavour to preserve the Peerage of this kingdom, with the just rights belonging to the house of peers; and will really, in their places and calling, perform the same. And as, in the first place, they look upon the carrying on this great common cause, wherein both houses of parliament stand engaged, (which they hope no respects shall make them to desert) so shall they, to and in prosecution of those public ends, be very careful to preserve and maintain the right and honour belonging to the places and persons of the Peers

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of England.—By the Appointment of his Excellency sir Tho. Fairfax and his Council of War, Jo. Rushworth, Secretary."

The Officers who presented this Declaration, being called in, received the following Answer:

"Gentlemen; The lords receive, with great satisfaction, this Declaration which you have presented unto them, as the unanimous Engagement of the Council of War: and they have commanded me to return particular thanks to the General and yourselves; and by you they desire their thanks may be returned to the Council of War and the whole Army. And they further have commanded me to assure you, that as they have hazarded their lives and fortunes in the maintenance of the true religion, the liberties of the kingdom, and privileges of parliament, according to their former engagements, and for procuring a just and safe peace to this distracted and distressed kingdom, so they shall still pursue those ends, from which no respects whatsoever shall either alienate their hearts or lessen their endeavours."—After which it was ordered by the lords, That this Declaration, with the Answer to it, should be printed and published.

The Scots Commissioners take Leave of the Lords.] Jan. 17. A Letter from the Scots Commissioners in London, dated this day, directed to the Speaker of the house of peers, was read, to this effect:

"That having been here several years, employed in pursuance of the ends of the Solemn League and Covenant, and of the Treaty between the two kingdoms; where, according to their mutual Engagements, they had constantly endeavoured to preserve a right understanding betwixt them: they had, in discharge of the trust committed to them, given in to both houses what they were warranted to offer unto them. And now, that they might give an account to the parliament of Scotland, they were to begin their journey within 2 or 3 days, of which they thought fit to give notice to both the honourable houses of parliament; and if they were pleased to address any thing by them to that kingdom, it should be represented with all fidelity and respect."

Upon this Letter the lords appointed a committee to consider what Papers and Letters of the Scots Commissioners did remain unanswered, and to report the same to the house.

Jan. 18. It was ordered that the earls of Warwick and Manchester, should go to the Chancellor of Scotland and the rest of the Scots Commissioners, from that house, to wish them a good journey; and to let them know that in regard of their speedy departure, the lords could not give any present Answer to their Desires concerning their Monies, and the other particulars mentioned in their last Papers; yet the lords do hope that there will be a real care taken to give just satisfaction unto the kingdom of Scotland; and that the house desired the continuance of the brotherly union and good correspondency between the two nations, which the lords would be always ready to use their best endeavours to preserve.

The Impeached Peers demand, and obtain, their Liberty.] Jan. 19. A Letter directed to the Speaker, from the earl of Lincoln and the other lords under restraint, except the lord Hunsdon, was read:

"My lords; After so long a restraint, by your lordships order, and no prosecution against us, we may expect, from your justice, our liberties; the which we shall enjoy with the more satisfaction, as it will appear a right to your lordships quality, as well as a freedom to the present condition of Your, &c. Berkeley, Willoughby, Maynard, Lincoln, Suffolk, Middlesex. Jan. 19."

It was then ordered that these six Lords, that have subscribed this Letter, shall have their liberty from the restraint they lie under, in the custody of the gentleman-usher of the black rod attending that house; and it was referred to a committee to consider of some Declaration, to be entered in the Journal Book, concerning the commitment of peers of this realm upon Impeachments. The lord Hunsdon was also released the next day, on his application, by letter, to the house.

Jan. 28. The commons sent up a Message to impeach Francis lord Willoughby of Parham, and sir John Maynard, knight of the Bath, of High Treason and other high crimes and misdemeanors, and exhibited Articles of Impeachment at the same time against them both.

Here follows an hiatus, marked by asterisms in the Journals; and, by a note of reference, the editor tells us, That in the margin of the original, where several Entries are erased, is wrote 'Obliterated by Order of March 2, 1659.' To which time we refer for a further explanation.

Jan. 29. The Scots Commissioners having now left London, and gone into their own country, both houses thought proper to send some commissioners of their own after them; in order, as may be supposed, to take off any sinister impressions or misrepresentations that might be made to the Scots parliament by the former; and so prevent a rupture, at this critical conjuncture, between the two nations.

The Commons send up Articles of Impeachment against the seven Lords lately set at Liberty.] Jan. 31. The commons sent up to the lords Articles of Impeachment against the earls of Lincoln and Suffolk, with the rest of the seven Lords formerly impeached by them of High Treason, for levying war against the king, parliament, and kingdom; and desired that such further proceedings might be had thereupon as to justice and the course of parliament did appertain, and then the commons would be ready with their Evidence to support the said Charge.

Articles of Impeachment against sir John Maynard, one of the 11 Members formerly charged by the Army.] February 1. The

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separate Articles against the seven impeached Lords were read, though not as yet entered in the Journals; but those against sir John Maynard being also read, are inserted: viz.

ARTICLES of IMPEACHMENT of the Commons in Parliament assembled, against sir John Maynard, Knight of the Bath, whereby he stands charged of High Treason, and other high Crimes and Misdemeanors.

I. "That the said sir John Maynard hath, maliciously and traiterously, endeavoured, combined, and conspired to subvert the freedom of parliament. II. That, upon the 30th of July last, and divers days before and since, he, the said sir John, at the Guildhall, and other places within the cities of London and Westminster, and county of Middlesex, hath, maliciously and traiterously, plotted and endeavoured to raise and levy war; and accordingly, then and there, hath, maliciously and traiterously, raised and levied war against the parliament, king, and kingdom. III. That whereas, on the 26th of July last past, a great company of Reformado officers, soldiers, apprentices, and other dissolute and desperate persons, (many whereof have been in arms against the parliament) being tumultuously assembled at Westminster-Hall, and parts adjacent, within the city of Westminster and liberties thereof, did, by a most horrid force and violence, possess themselves of the doors and passages of the houses of parliament in Westminster aforesaid, (the members of the said houses then sitting in parliament) and did then and there, contrary to the honour and freedom of parliament, threaten, and, for divers hours, imprison, the said members so sitting in parliament; and, by the said menacing imprisonment, and violence, did force the said houses to pass an Ordinance of parliament, for the revoking and making void an Ordinance made the 23d of July abovesaid, concerning the Militia of London, and for the constituting of sir John Gayer, knt. Tho. Adams, James Bunce, Aldermen, and others, citizens of the city of London, a committee of the Militia of the said city, and parts adjacent within the lines of communication: and did likewise, then and there, forcibly enter into the said houses of parliament and forced the members of the said houses to pass such Votes as they, the said tumultuous persons, then and there required; and did then and there violently assault the persons of the Speakers, and divers members of both houses then attending on the parliament; and, by their violent menacings and assaults, did force the said Speakers, and divers members, from their attendance in parliament. And whereas sir Tho. Fairfax, knt. and the Army under his command, was formerly, by both houses of parliament, raised and maintained, and is still continued, for the safety and defence of the parliament and the kingdom; and the said sir Tho. Fairfax and the said Army, hearing of the said horrid force and violence offered to the said houses of parliament as aforesaid, did march towards the cities of London and Westminster to suppress the said tumults, and to restore the said houses of parliament, and the members thereof, to their just freedom, safety, and honour; and to secure the said houses of parliament from the like violence and traiterous attempts for the future, he, the said sir J. Maynard, knowing of the said horrid force and violence, and that the said Ordinance, for the Militia of London, so by force obtained as aforesaid, was void and null, and that the said sir Tho. Fairfax, and the Army under his command, were marching towards the cities of London and Westminster, for the intents and purposes aforesaid, he, the said sir John Maynard, for the better advancing of his traiterous purposes, designs, and actions as aforesaid, did, on the 30th of July aforesaid, and divers days since, with Denzill Hollis, and Walter Long, esqrs. Francis lord Willoughby of Parham, col. Edw. Massey, col. Sydenham Pointz, and divers others, meet at the Guildhall aforesaid, and other places within the cities of London and Westminster, and county of Middlesex; and did, then and there, sit with, and traiterously consult, abet, and maintain the said sir John Gayer, alderman James Bunce, and others of the said pretended Militia, in putting in execution the said pretended Ordinance for the said pretended Militia of London, so by force obtained as aforesaid; and, together with the said Denzil Hollis, Walter Long, Francis lord Willoughby of Parham, sir John Gayer, alderman James Bunce, and others, did traiterously and maliciously plot, contrive, and order the raising of another Army to embroil the kingdom in a new and bloody war; and did, traiterously and maliciously, at the time and place, and with the persons aforesaid, plot, contrive, and order the levying, raising, listing, arming and arraying several forces, both of horse and foot, for the maintenance of the said new and bloody war against the king, parliament, and kingdom, and to ruin and destroy the said Army under the command of the said sir Tho. Fairfax, raised for the defence of the parliament and kingdom as aforesaid, and to prevent and hinder them from vindicating the honour and safety of parliament as aforesaid; and the said several forces, both of horse and foot as abovesaid, were listed, raised, and levied accordingly; sundry of them having been aiding and abetting to the abovesaid horrid force and violence amongst the said soldiers, officers, and tumultuous persons as abovesaid, upon the said 26th of July last past, against the said houses of parliament as abovesaid. IV. And, in further pursuance of the said traiterous purposes and designs, he the said sir John Maynard, knowing of the said horrid force and violence, did, together with the said Denzil Hollis, Walter Long, and Francis lord Willoughby of Parham, on the 30th of July aforesaid, at the Guildhall, and other places aforesaid, traiterously order and appoint the Reformado officers, which, by former Ordinance of parliament, were commanded to de-

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part forth of the lines of communication, to rendezvous in a certain place in Westminster, and libertics thereof, commonly called St. James's Fields, to be listed, and put into a regimental way; to the intent to be arrayed, armed, and employed for the destruction of the Army under the command of sir Tho. Fairfax, and all such as did adhere to them, and did, then and there, traiterously order, direct, and cause to be raised and levied 18 regiments of the Trained Bands of the cities of London and Westminster, and the Auxiliary Bands, and all other forces of the said cities, and the sailors, watermen, and seamen within or near the river Thames, to be mustered, arrayed, armed, and put into a warlike posture, to be employed in the said war, traiterously contrived, levied, and raised by him, the said sir John Maynard, and the persons abovenamed, against the king, parliament, and kingdom, and the said army of the parliament, under the command of sir Tho. Fairfax. V. That, on the said 30th of July last, he the said sir John Maynard, at the Guildhall aforesaid, together with the said Denzil Hollis, Walter Long, esqrs. Francis lord Willoughby of Parham, and others, in pursuance of his said traiterous plots and contrivances, did traiterously order, command, and appoint the raising, seizing, and listing of all horses, geldings, and mares within the cities of London and Westminster, and lines of communication, and ten miles distant, to be employed in the said new and bloody war, so as aforesaid traiterously raised and levied by him, and the persons in this Article afore-mentioned, against the king, parliament, and kingdom. VI. The said sir John Maynard, with other the persons aforenamed, at the Guildhall aforesaid, upon the 3rd of August last, and divers days before and since, did traiterously order and command the officers of the Ordnance within the Tower of London, to issue 400 barrels of powder, and 4000 muskets and other arms, ammunition, and provisions for war, formerly provided by the said houses of parliament for the defence of the kingdom, and to furnish the said army of the parliament under the command of sir Tho. Fairfax, and the navy at sea appointed for the safety and defence of the kingdom, to be employed and used for the arming and arraying of the said Reformado officers and soldiers, raised and listed as aforesaid for the maintenance of the said new and bloody war, so as aforesaid traiterously plotted, contrived, and fomented by him and the persons aforesaid, and to be employed for the destruction of the said parliament's Army under the command of sir Tho. Fairfax, and the subjects of the kingdom adhering to, and joining with, the said army of the king, parliament, and kingdom. VII. That whereas sir John Maynard, with others afore-named, in pursuance of their said traiterous and malicious designs to embroil the kingdom in a new and bloody war, and to fight against the parliament's Army, then marching up towards London, for the purposes before recited, did, at the time and place abovesaid, cause a Declaration, (framed by some person within the city of London, containing matter of reproach and scandal of the Army doing their duty in the service of the parliament; and reflecting on the authority and freedom of parliament in several of their Ordinances, lawfully and duly passed; and abetting the engagement declared against by the said houses of parliament the 23d of July then instant, as a traiterous and seditious design of divers ill-affected persons in and about London, and parts adjacent; and to bring in the King, without security and satisfaction first given to both kingdoms, as was insisted on by the parliaments of both kingdoms; and tending to engage the rest of the kingdom with them in the said war against the parliament and Army) to be published in all or most of the churches and chapels within London and lines of communication, in or upon the 1st of August last past.—By all which designs, endeavours, and actions, he, the said sir John Maynard, hath traiterously laboured to ruin and destroy the king, parliament and kingdom; for all which they do impeach him of High Treason against the king, his crown and dignity. And the said commons, by protestation, saving to themselves a liberty of exhibiting, at any time hereafter, any further Accusation or Impeachment against the said sir John Maynard, and also of replying to the Answers that the said sir John Maynard shall make to the said Articles, or to any of them, and of offering further proof of the premises, or any of them, or of any other Impeachment or Accusation that shall be exhibited by them, as the cause shall, according to the course of parliament, require, do pray that the said sir John Maynard may be put to answer all and every of the premises; and that such proceedings, examinations, trial, and judgment may be upon every of them had and used, as is agreeable to law and justice."

The Lords take into Consideration the Articles of Impeachment against the seven Peers.] Feb. 2. The lords took into consideration the Articles of Impeachment against the seven Lords, of High Treason, and high crimes and misdemeanors, brought from the commons; and it was moved that it might be considered, Whether the releasing of the said Lords, and giving them their liberty on the 19th Jan. last, be not a discharging and acquitting them of the general accusation of High Treason; and whether the releasing of their persons be a discharging of that accusation? Then the general Accusation of the 8th Sept. last was read, and the Order for their commitment, with the several Messages sent to the house of commons concerning them, (see p. 782): And the question being put, Whether, upon what hath been now read, the general Impeachment against the Seven Lords is dismissed? it was resolved in the negative.—Next, it was taken into consideration, Whether, in the particular Articles against the Seven Lords, there be not a contrariety in the averment of the house of

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commons; because the Articles make mention, That they are in maintenance of a former Charge brought up from the commons against them, of high treason, and high crimes and misdemeanors; and it was moved to have a conference with the commons about it; and the question being put, Whether to send to the seven Lords copies of their several and respective Articles, and appoint them a day to put in their Answers to the same, before such time as a conference be had with the commons concerning this business, it was resolved in the affirmative; and ordered, That the earls of Lincoln, Suffolk, and Middlesex, the lords Berkeley, Hunsdon, Willoughby, and Maynard, shall attend at the bar on Friday morning, and receive their several and respective Articles of Impeachment of high treason and other high crimes and misdemeanors, brought from the commons against them; and that they put in their several and respective Answers thereunto by to-morrow fortnight. And it was further ordered, That the aforesaid lords be sequestered from the house, upon this Charge: and that they shall put in bail of 4000*l.* a-piece and 2000*l.* by sureties for each lord, on Friday next.

Feb. 3. The lords made the following Orders: 1. "That the seven impeached Lords be allowed till Tuesday next for coming to receive their Charges and bringing in their Bail. 2. That the lieutenant of the Tower do bring sir John Maynard to the bar, on Saturday morning next, to receive his charge of High Treason, and other high crimes and misdemeanors, brought up from the house of commons against him."

Both Houses resolve to reduce the Number of Servants about the King.] The lords also gave their concurrence to the following Resolutions, sent up by the commons for that purpose: 1. "That all the Servants, appointed by both houses to attend on the King, be discharged from their attendance. 2. That all those Servants that shall be appointed to attend the King, and their servants, shall not exceed the number of 30. 3. That the Governor of the Isle of Wight be hereby enjoined not to admit of any greater number than this of 30 to come within the Castle, to attend as servants upon the King, or as servants upon the king's servants. 4. That it be referred to sir Tho. Fairfax the General, to appoint such persons as shall attend the King, not exceeding the number of 30, to continue in the said service during the pleasure of both houses." *

Sir J. Maynard refuses to submit to the Proceedings of the House of Lords against him.] Feb. 5. The lieutenant of the Tower having brought sir John Maynard to the bar, the Speaker told him, 'That the lords did send for him to appear this day to receive his Articles of High Treason, and other high crimes and misdemeanors, brought up from the commons against him;' and commanded him to kneel at the bar as a delinquent. Sir John refused; but desired that the doors of the house might be set open for any body to come in that would, and this house not be made private, as the Council Table was: and he said, This way of Articles was not a way of proceeding of this kingdom; therefore he, being a commoner of England, and a free-born subject, ought to be tried as a commoner, by bill or indictment in the inferior courts of justice; and desired counsel to speak to it. He also, being again commanded to kneel as a delinquent, refused, saying, "He did not come to make bargains." Upon this, the house commanded sir John to withdraw, and the lords ordered that he should be fined 500*l.* for his refusal, in not submitting himself to the usual and ordinary way of proceeding of their house, upon Articles brought from the commons against him.—Then the lords commanded sir John to be brought in again, and the Speaker told him, "That their lordships had fined him 500*l.* for his refusal, in not submitting himself to the usual and ordinary way of proceeding of that house, upon Articles brought up from the commons against him; and let him know that the lords had ordered, That the Articles brought up from the commons, the 28th Jan. last, should be read." He refused to hear them read. However the Articles being read, the Speaker told him, "Now his Articles having been read, he might have a copy of them if he would; and that he is to put in his Answer to them within

* "No sooner had the king refused his assent to the four Bills, than Hammond, by orders from the Army, removed all his servants, cut off his correspondence with his friends, and shut him up in close confinement. The King afterwards shewed to sir Philip Warwick a decrepid old man, who, he said, was employed to kindle his fire, and was the best company he enjoyed during several months that this rigorous confinement lasted. No amusement was allowed him, nor society, which might relieve his anxious thoughts: to be speedily poisoned or assassinated was the only prospect which he had every moment before his eyes: for he entertained no apprehension of a judicial sentence and execution; an event of which no history hitherto furnished an example. The great source whence the King derived consolation amidst all his calamities, was undoubtedly religion; a principle which in him seems to have contained nothing fierce or gloomy, nothing which enraged him against his adversaries, or terrified him with the dismal prospect of futurity. While every thing around him bore a hostile aspect; while friends, family, relations, whom he passionately loved, were placed at a distance, and unable to serve him; he reposed himself with confidence in the arms of that Being who penetrates and sustains all nature, and whose severities, if received with piety and resignation, he regarded as the surest pledges of unexhausted favour." Hume.

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14 days." He replied, "He did not hear them read, and protested against the reading of them; and that these Articles brought up against him were not believed by them that drew them up: and he said (comparing this proceeding against him with the proceedings of the Council Table) that he did admire the justice of the Council Table, in regard of the arbitrary proceedings against him here." After this he was commanded to withdraw, and the lords ordered that the said sir John being impeached by Articles of the commons assembled in parliament, whereby he stands charged of high treason, and other high crimes, misdemeanors, and offences, shall stand committed to the Tower, there to be kept in safe custody until the pleasure of their house be further signified.—A warrant was immediately issued in that behalf; and it was ordered that the fine of 500*l.* imposed upon him, be presently estreated into the exchequer.

Next, a committee, consisting of the earls of Northumberland, Kent, Denbigh, Mulgrave, and Salisbury, with the lords North and Wharton, were appointed to consider which way to vindicate the honour of the house; and to prevent, for the future, the like Contempt which sir John Maynard had now offered at their bar. Mr. Baron Atkins and Mr. Justice Rolle were appointed to attend this committee.

State of the Navy at this Time.] A List of the Parliament's Ships, to be set forth for next summer's guard, was sent up from the commons, with several Orders relating thereto, for the lords concurrence, to all which they agreed. The List was as follows:

Ships Names.	*Men.*	*Tons.*
SECOND RANK.		
Reformation	250	742
Garland	170	567
Lion	170	567
Convertine	180	619
Bonadventure	170	557
Antelope	160	514
Swallow	150	478
THIRD RANK.		
Assurance	110	350
Nonsuch	120	400
Elizabeth	120	416
Tyger	115	402
Dragon	115	378
Phœnix	120	378
Adventure	110	370
Providence	100	350
Expedition	100	350
Mary Rose	100	321
John	110	366
Fellowship	100	366
FOURTH RANK.		
President	80	220
Hector	80	266
Warwick	70	300
Cygnet	60	233
Hind	60	200
Star	60	200
Tenth Whelp	60	186
Swan	60	200
FIFTH RANK.		
Crescent	50	167
Greyhound	50	120
Hart	50	120
Weymouth	50	150
Nicodemus	45	80
Roebuck	45	130
Lilly	40	90
Increase	40	138
Robert	40	133
Dove	25	84
Hunter	25	70
Truelove	30	40
Two Ketches	20	—
	3610 Men	—

Ordered, That it be referred to the Committee of the Admiralty and Cinque-Ports, 1. "To take speedy course that the Ships, now voted, may be fitted and prepared to go forth to sea for the next Summer's Guard. 2. To consider of the names of the Commanders for the same, and to report them to the houses with all speed. 3. To take course for the graving and fitting the rest of the parliament's ships with victuals and other necessaries, ready to be set forth to sea if occasion should require."

Ordinance for the absolute Suppression of all Stage Plays.] About this time a very severe Ordinance passed both houses against Stage Players, Players of Interludes, &c. The preamble to this Ordinance is very remarkable, and shews how widely different the sentiments and fashions of the present age are from those of their ancestors in the 17th century. It runs thus:

"Whereas the acting of Stage Plays, Interludes, and common Plays, condemned by antient Heathens, and much less to be tolerated amongst professors of the Christian Religion, is the occasion of many and sundry great vices and disorders, tending to the high provocation of God's wrath and displeasure, which lies heavy upon this kingdom, and to the disturbance of the peace thereof; in regard whereof the same hath been prohibited by Ordinance of this present parliament, and yet is still presumed to be practised by divers in contempt thereof."—Then the Ordinance proceeds to enact, "That all Stage Players, Players of Interludes, and common Players, shall be taken to be Rogues, and punishable within the Statutes of the 39th Eliz. and the 7th James, and liable under the pains and penalties therein contained; and proceeded against according to the said statutes, notwithstanding any licence whatsoever from the king, or any other person for that purpose." By this Ordinance also the lord mayor, justices of the peace, and sheriffs of London and Westminster, and of the counties of Middlesex and Surry, or any two of them, were authorized to pull down all stage galleries, seats, and boxes used for the acting of Stage Plays or Interludes within their several jurisdictions; and all such common players and actors were to be proceeded against

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as Rogues, if they still persisted to act. Every person present as a spectator at any Stage Play or Interlude hereby prohibited, was, for every time he should be so present, to forfeit 5*s.* to the use of the poor of the parish, being convicted thereof by his own confession, or proof of one witness upon oath, before one justice of the peace. And all mayors, bailiffs, constables, soldiers, &c. to be aiding and assisting in the execution of this Ordinance, upon pain of being fined for their neglect or refusal."

Declaration of the Commons, expressing their Reasons for declining any further Application to the King.] Feb. 11. The commons had been some time employed in framing a Declaration to go along with the Votes of both houses, passed on the 15th of January last, against any further Application to the King, or receiving any Messages from him; the aim of which was to satisfy the whole kingdom of the necessity and justice of their Proceedings against his majesty. There had been many divisions of the house on the several Additions and Alterations in this Declaration; which being at length fully settled, a motion was this day made, That the same do pass, which was carried in the affirmative, by 80 voices against 50: the Tellers on this remarkable occasion were, for the question, sir Arthur Heslerig and sir Peter Wentworth; against it, sir John Evelyn of Surrey and Mr. Bulkeley. Next, it was resolved that this Declaration be forthwith printed and published; and it was particularly referred to the care of Mr. Lisle and Mr. Chaloner, * to see that the same be truly and well printed; all the members were also required to send copies thereof to be published and dispersed in the respective places for which they served. We shall give the whole at large from the original edition published by order of the house of commons only †; the concurrence of the lords not having been desired for that purpose ‡:

A DECLARATION of the Commons of England in Parliament assembled, expressing their Reasons and Grounds of passing the late Resolutions touching no farther Address or Application to be made to the King.

"How fruitless our former Addresses have been to the king, is so well known to the world, that it may be expected we should now declare why we made the last, or so many before, rather than why we are resolved to make no more. We cannot acknowledge any great confidence that our words could have been more persuasive with him than Sighs and Groans; the Tears and crying Blood (an heavy Cry); the Blood of Fathers, Brothers, and Children at once; the Blood of many hundred thousand free-born subjects in three great kingdoms, which cruelty itself could not but pity to destroy. We must not be so unthankful to God, as to forget we never were forced to any treaty; and yet we have no less than seven times made such applications to the King, and tendered such Propositions that might occasion the world to judge we have not only yielded up our wills and affections, but our reason also and judgment, for obtaining any true peace or good accommodation. But it never yet pleased the King to accept of any tender fit for us to make, nor yet to offer any fit for us to receive. It is very well known that the Propositions sent to the King at Oxford, and treated on at Uxbridge, were agreed on by the parliaments of both kingdoms, not only as just, but necessary also for the very being of these kingdoms in a settled peace and safety. And although the King's persisting in his wonted ways and denials, might have caused us to improve the advantage of that great success which it pleased God to afford us, yet when his armies were all broken, so that, in disguise, he fled from Oxford to the Scots at Newark, and from thence went to Newcastle; and that Oxford, and almost all his garrisons were taken, we tendered, at Newcastle, Propositions, the same in effect with those which had been presented before in the midst of all his strength and forces.—And notwithstanding this change of his condition, and denial of those Propositions, after he was left to the Commissioners of Parliament, and our Brethren of Scotland quietly departed home; after all his garrisons taken, and no visible force in the whole kingdom appearing for him, the King being at the sole disposal of the parliament without dispute; yet even then the same Propositions were again presented to him at Hampton-Court.—In all which Addresses the Commissioners of Scotland agreed with us, and joined with our commissioners in attending the King.—The King not granting our Propositions, but still giving such strange, unexpected, and conditional Answers or Denials, it might justly have made us consider some other course for settling the kingdom in peace and safety, without any further application; which was also so far agreed by our brethren of Scotland, at their leaving Newcastle, that their Commissioners declared, in case the King consented not to the Propositions, yet they would maintain the treaties and union made between the kingdoms. But so desirous were we of his concurrence in the settlement of the kingdom's peace, that we yet again resolved upon another Address, and did so qualify the said Propositions, that, where it might stand with the public safety, his wonted scruples and objections were prevented or removed.—And although we could not forget how dangerous and void of success our former treaties

* Afterwards two of the King's Judges.

† London, printed for Edward Husband, printer to the honourable house of commons, Feb. 15, 1647.

‡ Mr. Rushworth informs us, that great care was taken in the framing of this Declaration that all the particulars thereof might be warranted by sufficient proofs; and adds, That it was worthy of every good subject's serious and mature consideration.

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had been, and that a personal treaty had been declared, by both houses and the commissioners of Scotland, to be unsafe, without security and satisfaction first given; yet we also yielded to that, on condition the king would sign but four Bills, which we judged not only just and honourable, but necessary even for present peace and safety during such a treaty.—We have cause enough to remember, that he sometimes denied to receive our humble Petitions for Peace; and when we desired him to appoint some place for a committee of both houses to attend him with Propositions for Peace, he named Windsor, promising to abide thereabouts till they came unto him; but presently marched forward, that very night, so near London, that he had almost surprised it, while he had so engaged himself for a treaty, had not some few of our foot at Brainford, with invincible courage, exposed themselves to apparent death, till his army was forced to retire in fear and shame, with the guilt of most inhuman and barbarous cruelties committed at Brainford to assure London, what it must have expected, had not God prevented those bloody designs.—And we well remember, that the King once sent us a specious Message of renewing a treaty, when at the same time his messenger was instructed how to manage that bloody Massacre in London, which was then designed by virtue of the king's commission, since published.—And, about the time of the Treaty at Uxbridge, he excused himself to the Queen by a Letter under his own hand, as forced to that treaty by the mutinous motions of his mungrel parliament at Oxford; and that he could not find any two of them of his mind, else he would not have acknowledged us for the parliament of England; which yet he did with a protestation, entered into the Council-Books, That his calling us so, did not make us a parliament. All which was but small encouragements again to make ourselves his sport or scorn by any other treaty; yet we now yielded to this also.—But notwithstanding this and all former tenders, we have now received such a denial, that we are in despair of any good by addresses to the King, neither must we be so injurious to the people, in further delaying their settlement, as any more to press his consent to these or any other Propositions. Nor can we see why it should be expected a new Engagement could prevail on him, or oblige him more strongly to the kingdom, than the solemn Oath of his Coronation, and the several other Vows, Protestations, and Imprecations so frequently by him broken, during his whole reign, and so often renewed before God and the whole world.—We may be the more justified herein by those that know what passed between the King and our Brethren the Scots, when those Articles were agreed and confirmed in the first pacification, not long before these wars; which, as soon as their backs were turned, and their armies out of sight, were disavowed again by the king, and by his command publickly burnt at London by the hands of the hangman. Which yet might have been forgotten, had not a continued track of breach of trust to the three kingdoms, since he wore the crown, made us, though unwilling, to remember it. We take no pleasure to repeat our own miseries, or others mischief, if it might be hidden or forgotten; but we are now forced to speak what hath long been suffered in too much silence. The King himself, in public Speeches and Declarations, hath laid a fit foundation for all tyranny, by this most destructive maxim or principle, which he saith he must avow, 'That he oweth 'an account of his actions to none but God 'alone; and that the houses of parliament, 'joint or separate, have no power either to make 'or declare any Law.' The private Articles agreed, in order to the Match with Spain, and those other private Articles upon the French Marriage, so prejudicial to the peace, safety, laws, and religion here established, and the continued correspondence which hath since been carried on with Rome, are so evident as cannot be denied.—We cannot but call to mind the Proceedings and Passages of the parliament held in the 2nd year of this king's reign, concerning the Death of his Royal Father. The 10th of May, 1626, the house of commons charged the duke of Buckingham, among other things, in these words,* viz. "Whereas the 'sworn physicians of our late sovereign lord king 'James, of blessed memory, attending on his 'majesty in the month of March, in the 22nd 'year of his most glorious reign, in the times of 'his sickness, being an ague, did, in due and 'necessary care of and for the recovery of his 'health, and preservation of his person, upon 'and after several mature consultations in that 'behalf had and holden at several times in the 'same month, resolve, and gave directions, 'That nothing should be applied or given unto 'his highness, by way of physic or diet, during 'his said sickness, but by and upon their general advice and consents: And, after good deliberation thereof first had, more especially 'by their like care and upon like consultations, 'did justly resolve and publickly gave warning 'to and for all the gentlemen and other servants and officers of his said late majesty's 'bedchamber, That no meat or drink whatsoever should be given unto him within 2 or 3 'hours next before the usual time of and for 'the coming of his fit in the said ague, nor during the continuance thereof, nor afterwards, 'until his cold fit was past; the said duke of 'Buckingham being a sworn servant of his late 'majesty, of and in his majesty's said bedchamber, contrary to his duty, and the tender 'respect which he ought to have had of his 'majesty's most sacred person, and after the 'consultations, resolutions, directions, and warning aforesaid, did nevertheless, without any 'sufficient warrant in that behalf, unduly 'cause and procure certain plaisters, and a 'certain drink or potion to be provided for 'the use of his said majesty, without the direc-

* See vol. ii. p. 117.

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'tion or privity of his said late majesty's physicians, not prepared by any of his majesty's sworn apothecaries or surgeons, but compounded of several ingredients to them unknown; notwithstanding the same plaister, or some plaister like thereunto, having been formerly administered unto his said majesty, did procure such ill effects, as that some of the said sworn physicians did altogether disallow thereof, and utterly refuse to meddle any further with his said majesty until those plaisters were removed, as being prejudicial to the health of his majesty; yet, nevertheless, the same plaister, as also a drink or potion, was provided by him the said duke, which he the said duke, by colour of some insufficient and slight pretences, did, upon Monday the 21st day of March, in the 22nd year aforesaid, when his majesty, by the judgment of his said physicians, was in the declination of his disease, cause and procure the said plaister to be applied to the breast and wrists of his said late majesty; and then also, at and in his majesty's fit of his said ague, the same Monday, and at several times, within two hours before the coming of the same fit, and before his majesty's then cold fit was past, did deliver, and cause to be delivered, several quantities of the said drink or potion to his late majesty; who thereupon, at the same times, within the seasons in that behalf prohibited by his majesty's physicians as aforesaid, did, by the means and procurement of the said duke, drink and take divers quantities of the said drink or potion, applied and given unto, and taken and received by, his said majesty as aforesaid, great distempers and divers ill symptoms appeared upon his said majesty; insomuch that the said physicians finding his majesty the next morning much worse in the estate of his health, and holding a consultation thereabout, did, by joint consent, send unto the said duke, praying him not to adventure to minister unto his majesty any more physic without their allowance and approbation; and his said majesty himself, finding himself much diseased and afflicted with pain and sickness after his then fit, when, by the course of his disease, he expected intermission and ease, did attribute the cause of such his trouble unto the said plaister and drink, which the said duke had so given, and caused to be administered unto him; which said adventrous act, by a person obliged in duty and thankfulness, done to the person of so great a king, after so ill success of the like formerly administered, contrary to such directions as aforesaid, and accompanied with so unhappy an event, to the great grief and discomfort of all his majesty's subjects in general, is an offence and misdemeanour of so high a nature, as may justly be called, and is by the said commons, deemed to be, an act of transcendent presumption, and of dangerous consequence.'—And delivered it at a conference to the lords. After which the king came into the lords house and took notice of that Charge, and told them he could be a witness to clear him in every one of them; unto which Charge no Answer came in until the 8th of June following; and the 10th day after, it was ordered by the house of peers to be communicated to the commons: but while the house were preparing to send up their Proofs, upon which they declared, 'That they 'doubted not but to have judgment against the 'said Duke,' the King expressed a sudden purpose to dissolve the parliament. And although the house of peers petitioned for its continuance, expressing their great and universal sorrow for his intentions to dissolve it; yet, notwithstanding all this, the said Parliament was dissolved the 15th day of the same June.—At the same time also, during the parliament, sir Dudley Diggs and sir John Elliot, who specially managed that Conference and Examinations, were committed close prisoners to the Tower, within two days after the said Charge, by warrant under the king's own hand. And Messages and Interruptions were constantly sent from the King to the houses while they had the said Charge in agitation; and the parliament being dissolved before justice could be done, there never was any legal inquiry made, at any time since, concerning the Death of the said King.—We leave the world now to judge where the guilt of this remains.—We can fully shew how Rochelle was by him betrayed, and thereby a fatal blow given to the Protestant cause in France. How also he lent divers of the navy royal, and other merchant ships, to the French King, to be employed against those whom he was engaged to have assisted.—And, when some of the commanders and others in those ships were so much English as to dispute those Orders, we can shew the King's letter under his own hand to Capt. Pennington, to put them into the service of the French King, or to sink them in case of refusal.—We cannot forget the designs to enslave us by the German horse (that we say nothing of the late Spanish Fleet, with a great army therein, brought into the Downs, 1639) and to grind us by inforced Loans, Privy-Seals, Coat and Conduct-Money, inlarging of Forests, inclosing of Commons, ingrossing of Gunpowder, with innumerable Patents and Monopolies of malt, salt, sea-coal, soap, leather, wine, sugar, allom, farthings, pins, tobacco, and almost all things else; together with that one compendium of all oppression and slavery, called Ship-Money.—The torture of our bodies, by most cruel whippings, slitting of noses, cutting off ears, branding of cheeks, racks and pillories, with close imprisonment at pleasure, might be the sooner forgotten, had not our souls been also lorded over, led captive into superstition and idolatry; triumphed on by oaths ex officio, excommunications, ceremonious Articles, new Canons, Canon Oaths, &c.—One thing more was found to make us worse than slaves, in that we might not hope for liberty: the very name of Parliament became so odious at the court, that if in 12 years

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time there was so much as one summoned, it served but to shew the lawless power of those that could not be content only to dissolve it at pleasure, but we must be forbidden, by proclamation, to speak or hope for another parliament: and, at such dissolutions, there was no privilege strong enough to secure the closets, cabinets, pockets, and persons of those that, in duty and conscience, did but vote or act as men above mere slaves; this was fault enough for close imprisonment and death; for that hath also followed.—Nor was it enough thus to enslave one kingdom; but the same projectors who had so enthralled England, must contrive also to reduce Ireland, and conform Scotland, that so the mingling of neighbour tears might, by sympathy, increase each others woe. Scotland was to be the first scene; where a new Liturgy, with new Canons, are to make the prologue to the following act. This not succeeding as was hoped, an Army must be raised to force compliance; but, by the mediation of the English lords, a pacification is concluded, and it held till the King's return to court made him forget and disavow it; but the burnt Articles left ashes enough to beget a new flame. There wanted but a form of law to make all just; for this and for Supply, not for advice, a parliament is ventured on; yet with proviso, that it should not hurt, although it would not help; and not complying (as was hoped to assist that war against the Scots) was crime enough to merit dissolution, with a false and scandalous Declaration, in the King's name. The parliament being dissolved, the King took from his subjects by power what he could not otherwise obtain.—We need not tell the world how, in the midst of all our miseries, the Scots, our Brethren, entered with a powerful army, marching on as friends, till they were forced to make their passage over Tyne. It was then thought necessary by the King to summon this present parliament; in which we did proceed with ease so long as there was but any hope we would comply with him against the Scots, and give assistance to that war. But he quickly found it vain to hope to be supplied by us against the Scots: and when we began to consider how we came to be again involved in a new war, notwithstanding the late pacification, we saw it impossible to quash those pernicious councils at the present, or to prevent them for the future, without questioning their authors. At this the King discovered himself so strongly and passionately affected to such malignant counsellors, and their counsels, that he would sooner desert or force his parliament and kingdom, than alter his course, and deliver up his wicked counsellors to law and justice.—By this time the Queen's pious design (as they termed it) to advance Popery was almost ready for the birth, being helped much by a Popish Fast, enjoined weekly by the Pope's Nuncio, and by Letters from secretary Windebank, who durst not abide examination; but, after he was questioned by the house of commons, got a pass from the king to go beyond sea.—What was done abroad will hereafter appear, although the king made light of all our intelligence from foreign parts, yet he could not so well avoid or deny the commissions given at court to Popish agents for private levies; or that the Papists began to rise and arm themselves in the north-west of England and Wales, till they were suppressed; or that there were regiments raising and listing in London, and parts adjoining, under pretence of Soldiers for Portugal; or that some of these came to seize and possess themselves of the Tower, and the lieutenant threatened for refusing them; all which he knew might be sufficiently proved. To the like pious design we may refer the great Cabal for bringing up the Northern Army to over-awe the parliament, which the King did so often and solemnly disavow, as nothing but loose discourses of a modest Petition, which also vanished 2 or 3 months, he saith, before we knew it. But he now knoweth we can prove the chief part of that Cabal came from himself to the main actors; and that some of them did dissuade him from his way, because it was so sharp and high, exceeding the limits of honour and law: and yet their Propositions, which were the lower way, were much above the size of Petitions, as they are already published in their own Confessions. And it is very strange Mr. Piercy, sir John Suckling, and Mr. Germin (sent away by the King's special warrant) should fly beyond sea only upon discovery of a modest Petition.—But notwithstanding any dissuasions, yet the King persisted in his way; so that, after this, there was appointed a meeting of Officers at Boroughbridge, and Propositions made, with private Instructions brought from the King, by some that told them they were unwise to shew their teeth, except they would bite; and that the King would pawn his Jewels for them, would they be faithful to him; and if they marched forward, they should be met by the Prince and the earl of Newcastle, with a good body of horse; and that the French also would be ready to assist them. This was in April, and we had notice of this in the beginning of May; when also there was a Design for some French to have seized on Portsmouth, whither the Queen was then going; but the ports were better secured by a special committee.—So far was it also from vanishing divers months before our notice, that some of those Cabalists, after Examination by us, were again attempted by the King, and some of them sent again to the Army with new Instructions and Directions, signed by the King himself, as most clearly appeareth by comparing the Journals of May 1641, with the months following; together with the time specified in the Confessions of sir Jacob Astley, sir John Conyers, col. Legg, and others, already published.—And when there was yet demur, among the chief officers, there went another agent from court to quicken them, and treat of some Directions signed by the King; but

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he was to go farther, the Scots Army being then at Newcastle.—What Offers were made to them of the plunder of London, if they would advance, or of 4 Northern Counties, with 300,000*l.* or jewels of great value, but to stand neuters in that design, is already declared by some who may better know the Propositions made by O' Neal, (who brake prison here) sir John Henderson, and others, with letters of credence from the King. After that he was so resolute to go into Scotland, that he could not be persuaded, by our Petitions, to defer that journey; and though in the year 1641, he was not pleased to leave such a Commission as the parliament desired of him, yet was he pleased before, in the year 1639, to intrust secretary Windebanke, a known favourer of papists, with blank sheets, both of parchment and paper, signed with his sign manual, which were employed by him for disposing great commands by land and sea.—It is well known what Letters the King sent into Ireland by the lord Dillon, immediately before the Rebellion; and where the Great Seal of Scotland was, and in whose hands, when that commission was sealed at Edinburgh to the Irish Rebels, who dispersed copies thereof in Ireland, with Letters or Proclamations; and we have a Copy thereof, attested by oath, with Depositions also of those who have seen it under the seal: which commission was promised (as some of the chiefest Rebels confessed) to the Irish Committee at London, for the most part Papists, (which was thought a good omen) and since most active rebels; upon whose private mediations the King gave away more than five counties; saying, 'That he 'expected they should recompence him some 'other way;' and, 'that he would willingly grant 'all their Desires, but he was oppressed by 'the parliament in England, of whom he 'wished that he could be revenged.'—It hath formerly been declared, how we desired and pressed the King to disband that Irish Popish army, which (as was cleared at the earl of Strafford's Trial) was raised to reduce the kingdoms: but sometimes he would give no Answer at all; and sometimes did plainly tell us, 'He could not disband it, for reasons best 'known to himself.' Sometimes the Scots must first disband; and then there was a new pretence of divers regiments promised to Spain; for which the King was engaged, and could not go back. Which we now wonder not at; for by the confession of Macarte and Macguire, with others, it is clear, that this pretence of men for the King of Spain's service, was but a colour to keep some in arms for a foundation of that Rebellion; and that some of the committee coming from London, contrived this Plot for defence of the King, who was then, they said, so much injured in England and Scotland.—And the first clause of that Oath enjoined by the general council of rebels was, 'To bear true faith and allegiance 'to king Charles, and by all means to main-'tain his royal prerogative against the Puritans 'in the parliament of England.'—And although we declared to the King, That they styled themselves the King's or Queen's Army, yet we could not obtain a Proclamation against them in divers months; and then also but 40 copies might be printed, and express order given, That none should be published till his further directions, as appeareth under his own secretary's hand.—Which might very well stand with the Letters from court to the lord Muskerry, a great rebel in Munster, who was assured his majesty was well pleased with what he did, and would in time give him thanks for it, although, for the present, it did not then stand with the convenience of the King's affairs to give him public countenance: and this was afterwards made good by the King, who, in one of the Letters taken at Naseby, commandeth the earl of Ormond to give particular thanks to the said Muskerry and Plunket.—We may yet remember how the earl of Leicester was delayed and detained by the King, beyond all pretence, from going against the rebels. How also the King refused a commission, often asked by both houses, for the lord Brooke and the lord Wharton; when, at several times, there were large provisions made for relief of Munster, and other parts so much distressed, that Limerick was wholly lost. But when the Rebels wanted commanders at their very beginning, we have long since named divers papists and persons of quality that, by the King's special warrants, after the ports were shut by both houses of parliament, passed hence, and headed the said Rebels. And we likewise named commanders and officers, whom the King called off from their trust against the Rebels, and ships from their guards at sea, that so the rebels might be supplied with foreign aids: besides, all the arms and ammunition they had from the King's magazine there, and from hence also by the earl of Antrim, lord Aboyn, and others from the Queen, although the council of Ireland, desiring some pieces of battery from hence for the poor Protestants there, could not obtain them from the King; but some of our ships sent to relieve them, were seized by his men of war (as the cloaths and other provisions by land) and sold or exchanged for arms and ammunition for the King; and the Rebels gave letters of mart for taking the parliament's ships; but freed the King's as their very good friends.—Let the world now judge how much reason we had to believe the Rebels, when they did so often swear they did nothing without good authority and commission from the King; so that sir Phelim O'Neal would not be persuaded general Lesley had any authority from the King against the Rebels.—Divers months also before it began, there was information given, upon oath, to the archbishop and others of the king's council, That there was a great design among the Papists for a general Massacre of all the Protestants in Ireland and England also, and that a great royal person had a hand in it; but it was to be ma-

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naged by direction from the Pope. And besides the King's Letters to the Pope, when he was in Spain, and others, long since his return, on the behalf of the duke of Lorrain, (which must be requited by the said duke with a foreign army to invade England upon the king's design) it is clear that some months before the Irish Rebellion, the King had an agent in Rome, as by divers of his own secretary's papers appeareth.—And that the same designs were laid for England also at the same time, if we might not believe the confession of the Queen-Mother's servant, attested upon oath, that there were many thousands appointed to cut the Protestants throats in this kingdom also, when the King went to Scotland, yet we may remember it was confessed by some of the principal rebels, That their Popish committee here with the King had communicated that design to many Papists in England, by whose advice, though some things were altered, yet it was generally concluded that, about the same time, there should be the like proceedings of the Papists here; insomuch that when Charles-Mount was seized in Ireland, sir Phelim O'Neal and other great Rebels did, with much confidence, affirm the Tower was also seized at London, and the archbishop released by their party here; where, they said, there was as much blood running as in Ireland.—And it is very well known that, upon the King's return from Scotland, besides the unusual preparations of ammunition and arms, with new Guards within and about Whitehall; and besides the great quantity of fire-works found and taken in Papists houses, the Tower was also filled with new guards, many cannoneers, granadoes, and all sorts of fire-works, mortars, with great pieces of battery, ready prepared and mounted against the city: sir Wm. Balfour, who was formerly threatened for refusing the new guards while the earl of Strafford lived, was now displaced, and such officers placed by the King, as were not only suspected by us, but the whole city, who durst not abide in their own houses, as by their several Petitions is manifest. From this time the track of open force against this parliament and kingdom did appear more visible. The charge of Treason against some of both houses, and that unparalleled act of violence, by the King's coming so attended to the house of commons, after he had discharged our guards, denying us any but what might restrain or overawe us, was but the prologue to a bloody tragedy, had not the parliament and the good affections of the city interrupted that design, and caused the King's new guards (already listed and moulded under colonels and other officers) to withdraw a little to another scene.—Neither would the country more comply with these designs, although they were attempted with unusual arguments of armed troops in warlike manner to compel them; which succeeded yet so ill, that the lord Digby durst not abide the trial, but was sent away upon a special errand by the king's own warrant. What his errand was beyond sea we may well conclude from the List of Arms and Ammunition, for which we can produce the King's own hand, taken amongst his Papers, and printed with his own Letters to the Queen at her first landing in Holland.—What Advice he gave for the King's retiring to some safe place, and declare himself; and how the king followed it, is known well enough. But before the king's settling at York, the notice we had of his commissions to the earl of Newcastle and col. Legg, for attempting Newcastle and Hull, may justly occasion us to provide for their security; especially when we had certain intelligence from the Low Countries of foreign forces from Denmark to come in about Hull; whither also came with the lord Digby divers commanders, with much ammunition and arms from other foreign parts.—And had not the Swedes at that time invaded part of the king of Denmark's dominions, we had had reason enough to expect a storm that way to have fallen also on Hull, where was then a great magazine: and before we ever asked the King to remove it, we represented to him, that, besides all other intelligence of foreign negotiations, we had good notice of a Fleet preparing in Denmark; and that one of lord Digby's servants had solicited a mariner, or pilot, to conduct it into Hull. And, before that time, the King had dispatched an agent into Denmark, with letters of credit, complaining against the parliament as unjustly fixed on the destruction of one man (the earl of Strafford, then living); but he was resolved to take another course, and therefore desired aid.—And there came such an Answer, that, among large offers made to the Scots before the King's going into Scotland, they were told the king was assured of horses and money from Denmark. And, by an intercepted Letter from the Hague to secretary Nicholas, long since published, we found that, besides many arms and cannon, then provided in Holland, there were also coming from Denmark ships with 10,000 arms for foot, and 1500 horse for the King's use; and that Cochran very handsomely evaded that which was like to have frustrated all their expectations from thence. And in Cochran's latter Instructions, (for there had been others before in Denmark) long since printed, the King saith, 'We were 'then beginning to make head against him, 'and were then levying Forces;' and therefore he presseth for men, money, arms, and ships from Denmark; for which also he useth many arguments, and, among others, one in these words: 'That, in pursuance of their great de-'sign of extirpating the royal blood and mo-'narchy of England, they have endeavoured 'likewise to lay a great blemish upon his royal 'family; endeavouring to illegitimate all de-'rived from his sister, at once to cut off the 'interest and pretensions of the whole race; 'which their most detestable and scandalous 'design they have pursued, examining wit-'nesses, and conferring circumstances and 'times to colour their pretensions in so great

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'a fault; and which, as his sacred majesty of 'England, in the true sense of honour of his 'mother, doth abhor, and will punish; so he 'expects his concurrence in vindicating a sister 'of so happy memory, and by whom so near 'an union and continued league of amity hath 'been produced between the families and king-'doms.'—A most false scandalous Charge of that which never entered into our thoughts; so that we believe there never was a more unworthy act done by any prince, so to betray his trust and people to a foreign nation, by incensing them with such an odious slander to the shame of his own mother; which we repeat the rather, because when we declared our intelligence that Cochran was sent into Denmark to procure forces thence, the King disavowed it, calling it 'a vile Scandal,' in his Answer to our Declaration of the 22nd Oct. 1642. In the same Instructions to Cochran he declareth also, 'That he then expected 'assistance from all his neighbour princes 'and allies, in particular the greatest part 'of the States Fleet from Holland; whither,' he confessed, 'he had then sent the Queen.'—He might also have added, that, with the Queen, contrary to his trust, he had sent the antient Jewels of the Crown of England, of a very vast value, to be pawned or sold for ammunition and arms; of which we had certain knowledge before we took up arms.—Neither had we so much as once asked the settling of the Militia till the Queen was going into Holland. And it may be remembered that, many months before the voyage to Holland, she was going beyond sea, had not our motions to the king staid her; and that, among other reasons given, because we then also heard she had packed up the Crown Jewels and Plate; by which we might see what was then also intended by that journey, had we not prevented it till the winter. But at Boroughbridge, before the earl of Strafford's death, the officers were told the king would pawn his Jewels for them, and the French were promised to assist them.—All this, and much more yet to be said, maketh us stand amazed at the King's solemn Protestation, so often made, calling God to witness, and revenge it also, if he had any thought of bringing up the Northern Army; or of levying forces to wage war with his parliament; or to invade the rights of his subjects; or of bringing in foreign forces or aids from beyond sea, 'which,' as himself saith in his Declarations, 'would not only have buried this kingdom in 'sudden destruction and ruin, but his own 'name and posterity in perpetual scorn and 'infamy.' Yet, at very first, when himself and the lords made such a Protestation at York against levying forces, he commanded his subjects, by Proclamation, to resist the Orders of parliament; and had signed that most illegal Commission of Array; and did privately contrive the getting out of the stores, ships, or otherwise, such ordnance, powder, shot, and ammunition, as could be possibly got and provided; for which we can produce a Letter of the 20th of June, 1642, under his own hand, to sir John Heydon, lieutenant of the Ordnance, to convey it secretly in ballast of ships; and required subscriptions for plate, horses, and arms; and had also raised such guards of horse and foot about him, that, by them, he did not only abuse our committees sent unto him; beat our public officers and messengers; protect notorious papists, traitors, or felons, such as Beckwith and others, from the posse comitatus; but also, with those guards, cannons, and arms from beyond sea, did attempt to force Hull in an hostile manner; and that within few days after that solemn Protestation at York.—It was not not long before he proclaimed us Rebels and Traitors, setting up his standard against the Parliament, which never any king of England did before himself. Nor did ever any but king Charles set up a Mock Parliament at Oxford, or any other place, to oppose and protest against the Parliament of England, which himself and both houses had continued by act of parliament. And when he had made those pretended members at Oxford to falsify their faith and trust they owed to this kingdom, finding that by them he could not carry on his own pernicious designs, he derided their meeting in a Letter to the Queen, and called them a 'Mungrel Parliament;' whereby his own party may perceive what reward they must expect when they have done their utmost to shipwreck their faith and conscience to his will and tyranny.—And for calling in of foreign forces, besides that which we have said already, it is very well known by his own Letters taken at Naseby, and the lord Digby's Cabinet, what negotiations he hath long had in all states round about us. We have also remaining with us an authentic Copy of his Commission for calling over 10,000 of the Irish Rebels to subdue this parliament, the 'disloyal and rebellious' city of London, as he calleth it; and for this purpose, expressly against an act of parliament, he made a pacification first, and since a Peace, with those most cruel bloody Rebels, on such odious, shameful, and unworthy conditions, that himself blushed to own or impart them to his own lieutenant the earl of Ormond; but a private commission was made to the lord Herbert, called earl of Glamorgan, commanding him to manage it with all possible secresy.—And for letting us see this secret commission, which was taken at Sligo, the said lord did endure a specious confinement.—Neither do we, by this time, wonder he should forget his Vows and Protestations, 'That he would never consent, 'upon whatsoever pretence, to a toleration of the 'Popish Profession, or abolition of the Laws 'then in Force against Recusants,' with most solemn Imprecations, 'that God would so deal 'with him and his, as he continued in such 'professions, and inviolably kept those Pro-'testations;' notwithstanding, about the very same time, it appears, by Letters under his own hand to the Queen and the earl of Ormond, that he would consent to the taking

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away all penal laws against Papists both in England and Ireland.—And also we had sufficient notice and proofs of most of these things before, notwithstanding all his breach of trust with the protestants in France, Scotland, Ireland, and this kingdom; which, besides all other oppressions by unjust prerogative, he hath so often endeavoured to enslave by German, Spanish, French, Lorrain, Irish, Danish, and other foreign forces, yet so really we sought his own, as well as the kingdom's, peace and happiness, that, after so many denials, we made this last application, so just and honourable, that we cannot but now conclude, he hath wholly forgotten, not only his duty to the kingdom, but also the care and respect he owes to himself and his own family.—These are some few of the many Reasons why we cannot repose any more trust in him, and have made those former resolutions; yet we shall use our utmost endeavours to settle the present government, as may best stand with the peace and happiness of this kingdom."

Lord Clarendon writes *, "That this Declaration found much opposition in the house of commons, in respect of the particular reproaches they had now cast upon the person of the king, which they had heretofore, in their own-published Declarations to the people, charged upon the evil counsellors and persons about him; and some persons had been sentenced and condemned for those very crimes which they now accused his majesty of. But there was much more exception to their conclusion from those premises, that therefore they would address themselves no more to him; and John Maynard, a member of the house, and a lawyer of great eminence, who had too much complied and concurred with their irregular and unjust proceedings, after he had with great vehemence opposed and contradicted the most odious parts of their Declaration, told them plainly, "That by this resolution of making no more Addresses to the King, they did, as far as in them lay, dissolve the parliament; and that, from the time of that determination, he knew not with what security, in point of law, they could meet together, or any man join with them in their counsels: That it was of the essence of parliament that they should, upon all occasions, repair to the king; and that his majesty's refusal at any time to receive their Petitions, or to admit their Addresses, had been always held the highest breach of their privilege, because it tended to their dissolution without dissolving them; and therefore if they should now, on their parts, determine that they would receive no more Messages from him, which was likewise a part of their Declaration, nor make any more Address to him, they did, upon the matter, declare that they were no longer a parliament; and then, how could the people look upon them as such?" This argumentation being boldly pressed by a man of that learning and authority, who had very seldom not been believed, made a great impression upon all men who had not prostituted themselves to Cromwell and his party. But the other side meant not to maintain their resolution by discourses, well knowing where their strength lay; and so still called for the question, which was carried by a plurality of voices, as they foresaw it would; very many persons who abhorred the determination not having courage to provoke the powerful men by owning their dissent; others satisfying themselves with the resolution to withdraw themselves, and to bear no farther part in their counsels; which Maynard himself did, and came no more to the house in very many months, nor till there seemed to be such an alteration in the minds of men, that there would be a reversal of that monstrous determination; and many others did the same." His lordship proceeds to inform us, 'That the publishing this Declaration wrought very different effects in the minds of the people, from what they expected it would produce; and it appeared to be so publickly detested, that many who had served the parliament in several unwarrantable employments and commissions, from the beginning of the war, in the city and in the country, withdrew themselves from the service of the parliament, and much inveighed against it for declining all the principles upon which they had engaged them. Many private persons took upon them to publish Answers to that Declaration, that, the King himself being under so strict a restraint that he could make no Answer, the people might not be poisoned with the belief of it. And the several Answers of this kind wrought very much upon the people, who opened their mouths very loud against the parliament and the Army; and the clamour was increased by the increase of taxes and impositions, which were raised by new Ordinances of parliament upon the Kingdom."

The King's Declaration to all his Subjects thereupon.] The following Declaration of the King, occasioned by the Votes against any further Address to him, printed at this very time, and said, in the title-page thereof, to be published by his majesty's special command; with an Answer to the foregoing Declaration of the Commons, published by his appointment, are of such authority as to demand a place in these enquiries. The names of the printers are not affixed to either of them, nor is it to be expected any would dare to own them at a crisis when it was declared high treason to hold any correspondence with his majesty without leave of the parliament; but, by several typographical circumstances, they appear to have been printed by Royston; and this conjecture is confirmed by their being reprinted in his edition of the King's Works.*

* History, vol. v. octavo edit. p. 94.

* In the Life of King Charles, prefixed to the folio edition of his works, we are told, That the first of these two pieces was written by the king himself, and the other by sir Edward Hyde, afterwards earl of Clarendon. The above

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THE KING'S DECLARATION to all his Subjects; Carisbrook-Castle, Jan. 18, 1647.

"To all my people, of whatsoever Nation, Quality, or Condition.—Am I thus laid aside, and must I not speak for myself? No: I will speak, and that to all my people; (which I would have rather done by the way of my two houses of Parliament, but that there is a public Order neither to make Addresses to, or receive Messages from me) and who but you can be judge of the differences betwixt me and my two houses? I know none else; for I am sure you it is who will enjoy the happiness, or feel the misery, of good or ill government; and we all pretend who should run fastest to serve you, without having a regard, at least in the first place, to particular interests: and therefore I desire you to consider the state I am, and have been, in this long time, and whether my actions have more tended to the public or my own particular good; for whosoever will look upon me barely, as I am a man, without that liberty (which the meanest of my subjects enjoy) of going whither, and conversing with whom, I will; as a husband and father, without the comfort of my wife and children; or, lastly, as a King, without the least shew of authority or power to protect my distressed subjects; must conclude me not only void of all natural affection, but also to want common understanding, if I should not most cheerfully embrace the readiest way to the settlement of these distracted kingdoms: as also, on the other side, do but consider the form and draught of the Bills lately presented unto me, and, as they are the conditions of a Treaty, ye will conclude that the same spirit which hath still been able to frustrate all my sincere and constant endeavours for Peace, hath had a powerful influence on this Message; for though I was ready to grant the substance, and comply with what they seem to desire, yet, as they had framed it, I could not agree thereunto, without deeply wounding my conscience and honour, and betraying the trust reposed in me, by abandoning my people to the arbitrary and unlimited power of the two houses for ever, for the levying and maintaining of land or sea forces, without distinction of quality, or limitation for money taxes: and if I could have passed them in terms, how unheard-of a condition were it for a Treaty to grant beforehand the most considerable part of the subject matter? How ineffectual were that debate like to prove, wherein the most potent party had nothing of moment left to ask, and the other nothing more to give? So, consequently, how hopeless of mutual compliance, without which a Settlement is impossible: besides, if, after my concessions, the two houses should insist on those things from which I cannot depart, how desperate would the condition of these kingdoms be when the most proper and approved Remedy should become ineffectual.—Being, therefore, fully resolved that I could neither, in conscience, honour, or prudence, pass those four Bills, I only endeavoured to make the reasons and justice of my denial appear to all the world as they do to me, intending to give as little dissatisfaction to the two houses of parliament, without betraying my own cause, as the matter would bear. I was desirous to give my Answer of the 28th Dec. last, to the Commissioners, sealed (as I had done others heretofore, and sometimes at the desire of the commissioners); chiefly because, when my Messages or Answers were publickly known before they were read in the houses, prejudicial interpretations were forced on them, much differing, and sometimes contrary to my meaning: for example, my Answer from Hampton-Court was accused of dividing the two nations, because I promised to give satisfaction to the Scots in all things concerning that kingdom: and this last suffers in a contrary sense, by making me intend to interest Scotland in the laws of this kingdom, (than which nothing was, nor is, further from my thoughts) because I took notice of the Scots Commissioners protesting against the Bills and Propositions, as contrary to the interests and engagements of the two kingdoms: Indeed, if I had not mentioned their dissent, an objection, not without some probability, might have been made against me, both in respect the Scots are much concerned in the Bill for the Militia and in several other Propositions, and my silence might, with some justice, have seemed to approve of it; but the commissioners refusing to receive my Answer sealed, I (upon the engagement of their and the governor's honour, that no other use should be made, or notice taken of it, than as if it had not been seen) read and delivered it open to them; whereupon what hath since passed,

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fact is confirmed by the following extract from the Life of the noble historian: "The Chancellor of the Exchequer (Mr. Hyde) no sooner received a copy of the Vote that no more Addresses should be made to the King, than he prepared a very large and full Answer to it; in which he made the malice and the treason of that libellous Declaration to appear, and his majesty's innocence in all the particulars charged upon him, with such pathetical applications and insinuations, as were most like to work upon the affections of the people: all which was transmitted (by the care of Mr. Secretary Nicholas, who resided at Caen, in Normandy, and held a constant correspondence with the Chancellor) to a trusty hand in London; who caused it to be well printed, and divulged, and found means to send it to the King; who, after he had read it, said he durst swear it was writ by the Chancellor, if it were not that there was more divinity in it, than he expected from him, which made him believe he had conferred with Dr. Steward. But some months after, being informed by Secretary Nicholas, he sent the Chancellor thanks for it; and expressed, upon all occasions, that he was much pleased with that Vindication." Vol. I. octavo edit. p. 204.

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either by the governor, in discharging most of my servants, redoubling the guards, and restraining me of my former liberty, (and all this, as himself confessed, merely out of his own dislike of my Answer, notwithstanding his before said Engagement) or afterwards by the two houses, as the governor affirms, in confining me within the circuit of this Castle, I appeal to God and the world, whether my said Answer deserved the reply of such proceedings; besides, the unlawfulness for subjects to imprison their King.—That, by the permission of Almighty God, I am reduced to this sad condition, as I no way repine, so I am not without hope but that the same God will, in due time, convert these afflictions unto my advantage. In the mean time I am content to bear these crosses with patience and a great equality of mind; but by what means or occasion I am come to this relapse in my affairs, I am utterly to seek; especially when I consider that I have sacrificed to my two houses of parliament, for the Peace of the kingdom, all but, what is much more dear to me than my life, my conscience and honour; desiring nothing more than to perform it in the most proper and natural way, a Personal Treaty. But that which makes me most at a loss, is the remembering my signal compliance with the Army and their interests; and of what importance my compliance was to them; and their often-repeated professions and engagements for my just rights, in general, at Newmarket and St. Alban's; and their particular explanations of those generals, by their voted and re-voted Proposals, which I had reason to understand should be the utmost extremity would be expected from me, and that in some things therein I should be eased (herein appealing to the consciences of some of the chiefest officers in the Army, if what I have said be not punctually true); and how I have failed of their expectations, or my professions to them, I challenge them and the whole world to produce the least colour of reason.—And now I would know what it is that is desired: Is it Peace? I have shewed the way, being both willing and desirous to perform my part in it, which is a just compliance with all chief interests. Is it Plenty and Happiness? They are the inseparable effects of Peace. Is it Security? I, who wish that all men would forgive and forget like me, have offered the Militia for my time. Is it Liberty of Conscience? He who wants it is most ready to give it. Is it the right Administration of Justice? Officers of trust are committed to the Choice of my two houses of parliament. Is it frequent Parliaments? I have legally, fully concurred therewith. Is it the Arrears of the Army? Upon a Settlement they will certainly be paid with much ease; but, before, there will be found much difficulty, if not impossibility, in it.—Thus all the world cannot but see my real and unwearied endeavours for Peace; the which, by the grace of God, I shall neither repent me of, nor ever be slackened in, notwithstanding my past, present, or future sufferings; but if I may not be heard, let every one judge who it is that obstructs the good I would or might do. What is it that men are afraid to hear from me? It cannot be reason, (at least none will declare themselves so unreasonable as to confess it) and it can less be impertinent or unreasonable discourses; for thereby, peradventure, I might more justify this my restraint than the causers themselves can do; so that, of all wonders yet, this is the greatest to me, but it may easily be gathered how those men intend to govern who have used me thus: and if it be my hard fate to fall together with the liberty of this kingdom, I shall not blush for myself, but much lament the future miseries of my people; the which I shall still pray to God to avert, whatever becomes of me. CHARLES *R.*"

Answer to the foregoing Declaration of the Commons.] The Answer to the foregoing Declaration of the Commons is as follows:

An ANSWER to a Pamphlet intitled, "A Declaration of the Commons of England in Parliament assembled, expressing their Reasons and Grounds of passing the late Resolutions touching no further Address or Application to be made to the King."

"I believe it was never heard of until now, that heavy imputations were laid on any man, (I speak not now of Kings, which I confess makes the case yet more strange and unjust) and he not permitted to see, much less to answer, them: but so it is now with the King; which does, though silently, yet subject him to as great an imputation as there is any in the said Declaration; for those who know no better may think that he cannot, because he does not, answer it: wherefore I hold it my duty, knowing these things better than every ordinary man, to do my best, that the King should not be injured by the ignorance of his people; and albeit I (lying under persecution for my conscience and love to regal authority) have not the means, in every thing, to make full probations; yet I am confident, in all the most material points, so to make the truth of the king's innocency appear, that I shall satisfy any impartial judicious reader.—What the issue of former Addresses to the King hath been, is most certainly known to all the world; but where the fault rests, whereby Peace hath not ensued, bare asseverations without proofs cannot, I am sure, satisfy any judicious reader. And, indeed, it seems to me that the penner of this seeks more to take the ears of the ignorant multitude with big words and bold assertions, than to satisfy rational men with real proofs or true arguments: for, at the very first, he begs the question, taking it for granted that the King could ease the sighs and groans, dry the tears, and stanch the blood of his distressed subjects. Alas! Is it he that keeps armies on foot when there is none to oppose? Is it he that will not lay down excise, taxations, and free quarterings? but it is he, indeed, who was so

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far from power, even at that time, being far worse since, that in most things he wanted the liberty of any free-born man: it is he who never refused to ease his people of their Grievances; witness more acts of grace passed in his reign than, to speak within my compass, in any five kings or queens times that were ever before him: moreover, it is he who, to settle the present unhappy distractions, and as the best means to it, to obtain a Personal Treaty, hath offered so much; that, to say truth, during his own time, he hath left himself little more than the title of a King; as it plainly appears by his Message from the Isle of Wight, concerning the Militia, and choosing the Officers of State and Privy Counsellors, besides other points of compliance, which it is needless here to mention. —Good God! are these Offers unfit for them to receive? have they tendered such Propositions that might occasion the world to judge that they have yielded up not only their wills and affections, but their reasons also and judgments, for obtaining a true Peace or good Accommodation? It is true that, if they can shew what reasonably they could have asked more, or wherein the King's Offers were deficient, either in point or security, or by with-holding from any of his subjects a jot of their just privileges, then they said somewhat to challenge belief: but bare asseverations, even against what a man sees, will not get credit with any but such who abandon their judgments to an implicit faith: nor can the determinations of all the parliaments in the world make a thing just or necessary, if it be not so of itself: and can it be imagined that any, who were ever acquainted with the Passages at the Treaties of Oxford and Uxbridge, will believe, though it be said, 'That the Pro-'positions tendered at Newcastle were the 'same, in effect, which had been presented to 'the King before, in the midst of all his strength 'and forces?' indeed, methinks, such gross slips as these should, at least, make a man be wary how to believe such things, for which he sees no proofs; and yet it should seem that a man must either take their words for good payment, or remain unsatisfied; for, a little after, it is said, 'That the King's strange, unexpec-'ted, and conditional Answers or Denials might 'justly have made them consider some other 'course for settling the kingdom in peace and 'safety, without any further Application;' but never shewn wherein the strangeness of his Answers or Denials consists: and I should think that those reasons upon which the laying by of a king's authority is grounded, for it is no less, ought to be particularly mentioned for the world's satisfaction, and not involved in general big words: for it thereby seems, that it is their force of arms, more than that of reason, which they trust to for procuring of obedience to their determinations, or belief to what they say; otherwise can it be imagined that their saying, 'That their last Propositions were so 'qualified that, where it might stand with the 'public safety, the wonted scruples and objec-'tions were prevented or removed,' can give satisfaction to any rational man who hath seen all their former Propositions? for it is most evident that their demands have always increased with their good fortune.—And for their great condescension to a personal Treaty (which, under favour, can scarcely be called so; for the King, though he had granted what was desired, was not to come either to or near London, but to stay in the Isle of Wight, and there to treat with Commissioners) upon signing the four Bills, surely they incurred therein but little danger? for it is most evident that they contain the very substance of the most essential parts of their demands, which being once granted, the King would neither have had power to deny, nor any thing left worth the refusing; for after he had confessed that he had taken up arms to invade the liberty of his people, (whereas it was only for the defence of his own rights) and had likewise condemned all those who had faithfully served him, of rebellion; and that he had totally divested himself, his heirs, and successors for ever, of the power of the sword; whereby the protection of his subjects, which is one of the most essential and necessary rights belonging to regal authority, is totally torn away from the crown; and that, by a silent concession, he had done himself and successors an irreparable prejudice concerning the Great Seal (I speak not of the other two Bills, neither of which are of little importance); what was there more for him to grant, worth the insisting upon, after such concessions? or, indeed, what power was left him to deny any thing? So that the king's necessity of giving the Answer he did, for it was no absolute refusal, is most evident; unless he had resolved to have lived in quiet without honour, and to have given his people peace without safety, by abandoning them to an arbitrary and unlimited power of the two houses, for ever, concerning the levying of land or sea forces, without stinting of numbers or distinction of persons; and, for payments, to levy such sums of monies, in such sort, and by such ways and means as they shall think fit and appoint. And now I cannot but ask, Is this the Militia that the King contends for? or, did ever any king of England pretend to, or seek for such a power? surely no. But this is a new Militia, and take heed lest this should prove like the Roman Pretorian cohorts, that what they did in choosing and changing emperors, these do not to this government, by moulding and altering it according to their fancies. Now, my eagerness to clear this point concerning the four Bills, had almost made me forget a most material question: I wonder much wherein the danger consists of a Personal Treaty with the king ever since he was last at Newcastle: surely he cannot bring forces along with him to awe his two houses of parliament; and it is as well known that he hath not money to raise an army; and, truly, there is as little fear, that the eloquence of his tongue should work miracles; but, on the contrary, if he were so ill a

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man as you describe him to be, whatsoever he shall say or write, must more prejudice him than you: for, let him never flatter himself, it must be clear, not doubtful, reason that can prevail against that great visible prevailing power, which now opposes him; nor do I say it will, but certainly less cannot do it: Where is then the danger? believe it, reason will hardly maintain those who are afraid of her.—After this it is said, 'That they had cause 'enough to remember that the King some-'times denied to receive their humble Peti-'tions;' but they neither tell where nor when, which I am most confident they cannot; but I am certain that the king hath sent divers Messages of peace to them, unto which he hath yet had no Answer; namely, his last from Oxford, of the 15th Jan. 1645, and all the rest since. As for the Fight at Brentford; whosoever will read the collections of the Declarations in print upon that subject, will clearly find that the king hath more reason to complain, that they, under colour of treaty, sought to inviron him with their forces, than they for what he then did. And his retreat was neither for fear nor with shame; for the appearing of the enemy made him retard, not hasten, his orders for retiring, which divers hours before their appearing he had given; which he did without any loss at all; but, on the contrary, retreated with more arms, 11 colours, and 15 pieces of ordnance, besides good store of ammunition, than he had before: and, for cruelty; there was not a drop of blood shed but in the heat of the fight, for I saw above 500 prisoners, who, only promising never after to bear arms against the king, were freely released.—Again they seem to have good memories, saying, 'That the king once sent them a 'specious Message of renewing a Treaty, when 'at the same time his messenger was instruct-'ed how to manage that bloody massacre in 'London, which was then designed by virtue 'of the king's commission, since published:' And hath the king sent but one Message for the renewing of a Treaty? then what was that from Tavistock, in August 1644, and five others from Oxford the next year, viz. of the 5th, 15th, 26th, and 29th Dec. and the 15th Jan. 1645? but indeed this, that is here mentioned, they knew not how to answer, (for at that time they knew not the way of silence) but by this forged accusation against the messenger; who, I dare say, knew nothing of that which might have been, at that time, intended for the king's service by some who had more zeal than judgment; but that there was a massacre intended, or that any commission from the king should countenance such a design, is a most notorious slander.—As for the king's mentioned Letter to the queen; I am confident that any judicious reader will find the gloss made upon it very much wrested: and certainly after-ages will think these times very barbarous, wherein private letters betwixt man and wife are published to open view; and, in other countries, there is such respect carried to private letters of princes that, to my knowledge, the last emperor, in the greatest heat of the Bohemian war, having intercepted a packet, wherein were private letters to king James of blessed memory, (who was then known to be no great friend to the emperor) from his only daughter, then avowedly the emperor's greatest enemy; yet he sent them to the king, without the least offer of violence to the seals.—And now I come to their determination upon the whole matter, what course they have resolved to take with the King: their words are, 'But, notwith-'standing this and other former tenders, we 'have now received such a Denial, that we 'are in despair of any good by Addresses to 'the king; neither must we be so injurious to 'the people in further delaying their settle-'ment, as any more to press his consent to 'these, or any other Propositions.' Besides, it is resolved upon the question, 'That they will 'receive no more any Message from the king;' and do enjoin, 'That no persons do presume 'to receive or bring any Message from the 'king to both or either houses of parliament, 'or to any other person.' Thus you see that the king is laid by: but that is not all; for he must neither justify his innocency against calumny, nor is there any way left him to mend any error that he may have committed: is this a just way of proceeding, when truth, though offered, must not be heard, and that no way must be left to recant an error? and why all this severity? because, as I have already shewn you, the king will not injure his conscience or honour, nor suffer his people to be oppressed; to which they give the term of such a Denial, though really it was none. But since they thus seek to hood-wink the people, it is no great wonder that they forbid the king to repent him of those faults which he never committed; and I believe all indifferent men will easily judge of the king's innocency, even by their way of accusation: for those who will lay such high crimes to his charge, as the breach of oaths, vows, protestations, and imprecations, would not spare to bring their proofs, if they had any: but, on the contrary, it is known to all the world, that he had not suffered as he has done, if he would have dispensed with that part of his Coronation Oath, which he made to the clergy, which is no great sign that he makes slight of his engagements; of which it is so universally known that he has been so religiously careful, as I hold it a wrong to his innocency, to seek to clear him of such slanders, for which there are no proofs alledged; for malice, being once detected, is best answered with neglect and silence: and was there ever greater or more apparent malice, than to offer to put the horrid slander of parricide upon him, who was eminently known to be as obedient and loving a son to his blessed father, as any history can make mention of? but indeed the loss of Rochelle doth fitly follow, to shew how malice, when it is at the height, is ordinarily accom-

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panied; for there are none, but ignorant or forgetful men, who know not that it was merely the want of assistance from the two houses of parliament (contrary to their public general Engagement) that lost Rochelle: and there is nothing more clear (to any who hath known French occurrences) than that real assistance which the king, to the utmost of his power, gave to those of the religion at that time, made cardinal Richelieu an irreconcileable enemy to the king; wherefore I cannot but say, that it is a strange forgetful boldness to charge the king with that which was evidently other men's faults.—There are also other things that, to any knowing man, will rather seem jeers than accusations; as the German Horse, and Spanish Fleet in 1639. But my affection shall not so blind me as to say that the king never erred; yet, as when a just debt is paid, bonds ought to be cancelled; so Grievances, be they never so just, being once redressed, ought no more to be objected as errors: and it is no paradox to affirm, That truths this way told are no better than slanders; and such are the catalogue of grievances here enumerated; which, when they are well examined, every one of them will not be found such as here they are described to be.—Now, as concerning those Discourses which mention the beginnings of these troubles, which are in two several places of this Declaration, I will only say this, That what the king did upon these occasions, was merely to defend the rights of his crown, which were and are evidently sought to be torn from him: nor can I acknowledge all those relations to be true; such as private levies of men by Popish agents; arming of Papists in the North; calling in of Danish Forces, and the like: and as for the stale slander of calling up the Northern Army, now renewed; it is well known that the two houses, even at that time, were not so partial to the king, as to have concealed a practice of that kind, if they could have got it sufficiently proved.—But if the Irish Rebellion can be justly charged upon the king, then I shall not blame any for believing all the rest of the allegations against him; only I protest against all rebels testimony as good proof, it being most certain by experience, that they who make no conscience of rebelling, will make less of lying, when it is for their advantage. And it is no little wonder that so grave an assembly as the house of commons should so slightly examine a business of that great weight, as to alledge that the Scots Great Seal did countenance the Irish Rebellion, when I know it can be proved, by witnesses without exception, that, for many months before, until the now lord-chancellor had the keeping of it, there was nothing at all sealed by it. Nor concerning this great point will I only say that the king is innocent, and bid them prove (which, to most accusations, is a sufficient answer); but I can prove, that if the king had been obeyed in the Irish Affairs before he went last into Scotland, there had been no Irish Rebellion; and, after it was begun, it had, in few months, been suppressed, if his directions had been observed; for if the king had been suffered to have performed his engagements to the Irish agents, and had disposed of the discontented Irish army beyond sea, according to his contracts with the French and Spanish ambassadors, there is nothing more clear, than that there could have been no Rebellion in Ireland; because they had wanted both pretence and means to have made one: then when it was broken forth, if those vigorous courses had been pursued which the king proposed, first to the Scots, then to the English parliament, doubtless that Rebellion had been soon suppressed. But what he proposed took so little effect, that, in many months after, there was nothing sent into Ireland but what the king himself sent, assisted by the duke of Richmond, before he came from Scotland, unto sir Robert Stuart; which, though it was little, will be found to have done much service, as may be seen by sir Robert's voluntary testimony, given in writing to the parliament's commissioners then attending the king at Stoak. And certainly a greater evidence for constancy in religion there cannot be, than the king shewed in his Irish Treaty; for in the time that he most needed assistance, it was in his power to have made that kingdom declare unanimously for him, and have had the whole forces thereof employed in his service, if he would have granted their demands in points of Religion, they not insisting on any thing of civil government which his majesty might not have granted without prejudice to his regal authority; and this can be clearly proved by the marquis of Ormond's Treaties with the Irish, not without very good evidence by some of the King's Letters to the queen, which were taken at Naseby, that are purposely concealed, lest they should too plainly discover the king's detestation of that Rebellion, and his rigid firmness to the Protestant profession. Nor can I end this point without remarking with wonder, that men should have so ill memories as again to renew that old slander of the king's giving Passes to divers Papists and persons of quality, who headed the rebels; of which he so cleared himself, that he demanded reparation for it, but could not have it, albeit no shew of proof could be produced for that allegation; as is most plainly to be seen in the first Book of the Collection of all Remonstrances, Declarations, &c. fol. 69 and 70.—Thus having given a particular Answer to the most material points in this Declaration, the rest are such frivolous, malicious, and many of them groundless, calumnies, that contempt is the best Answer for them. Yet one thing more I must observe, that they not only endeavour to make fables pass for current coin, but likewise seek to blind men's judgments with false inferences upon some truths: for example; it is true that the King hath said in some of his Speeches or Declarations, 'That he oweth an account of his 'actions to none but God alone; and that the 'houses of parliament, joint or separate, have

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'no power either to make or declare any law;' but that this is a fit foundation for all tyranny, I must utterly deny. Indeed if it had been said, That the king without the two houses of parliament, could make or declare laws, then there might be some strength in the argument; but, before this parliament, it was never so much as pretended, that either or both houses, without the king, could make or declare any law; and certainly his majesty is not the first, and I hope will not be the last king of England, that hath not held himself accountable to any earthly power: besides it will be found that his majesty's position is most agreeable to all divine and human laws; so far it is from being destructive to a kingdom, or a foundation for tyranny.—To conclude: I appeal to God and the world, whether it can be paralleled by example, or warranted by justice, that any man should be slandered, yet denied the sight thereof; and so far from being permitted to answer, that, if he has erred, there is no way left him to acknowledge or mend it: and yet this is the king's present condition; who is at this time laid aside, because he will not consent that the old fundamental laws of this land be changed, regal power destroyed, nor his people submitted to a new, arbitrary, tyrannical government."

Letter from the Duke of York, excusing his Attempt to make his Escape.] March 2. Some attempts made for the duke of York's Escape from St. James's being discovered, his highness thought fit, for fear of stricter confinement, to write the following Letter to the Speaker of the house of lords:

"My lord; I understand there was a Letter of mine intercepted going to my father, which I confess was a fault; and therefore desire you to let the house know, that I will engage my honour and faith, never to engage myself any more in such business. My request is that I may continue where I now am; in doing which you will much oblige me, who am your affectionate Friend, J. YORK."

Resolutions of the Lords thereupon.] A committee of lords was hereupon appointed to go and take the duke's Engagement from his own mouth; and it was this day ordered, That, upon the duke of York's Letter, the lords had condescended to give so much credit to the engagement and ingenuity expressed in it, and to the tenderness of his years, as to pass by all such resolutions as they might justly have taken upon this occasion; and to desire the earl of Northumberland that he would still continue under his care the said duke and the rest of the King's Children, who are now under the protection of the parliament: moreover, that the said earl should be desired, from time to time, to dismiss from attending on the duke and the rest of the King's Children, all such persons as he shall conceive to be anywise ill-affected, or likely to promote any ill designs to the prejudice of the parliament. Likewise that all papists, or such other persons as have been in arms, or adhered to the king in this war against the parliament, be restrained from coming or speaking to the duke and the rest, but in the presence of the earl of Northumberland: and that the said earl should take care that none of his servants suffer such resort; and if any persons should presume to press in, contrary to these Instructions, that intelligence be forthwith sent of it to one or both houses of parliament. Hampton-Court was also ordered to be fitted up for the King's Children.

This day, Mr. Fiennes carried up the Declaration of the commons, in reply to the Scots Commissioners Answer to the Propositions of Peace, to the house of lords; who, the next day, passed it. This Declaration was afterwards ordered, by both houses, to be printed and dispersed in the usual manner, also to be translated into Latin and French; but it is not entered in the Journals of either house:

March 8. Both houses passed an Ordinance for settling 2500*l.* a-year out of the earl of Worcester's estate, on lieut. general Cromwell: they also appointed Henry earl of Kent, Wm. lord Grey of Werke, sir Tho. Widdrington, and Bulstrode Whitlocke, esq. commissioners of the Great Seal of England.

March 15. An Ordinance for raising 60,000*l.* a month for the support of the Army under Thomas lord Fairfax* was passed; as also another for better securing the payment of 8000*l.* a-year to the Prince Elector, count Palatine of the Rhine, who had now resided in England some years; a former Ordinance for that purpose having been ineffectual.

Sir J. Gayre, and three more Aldermen of London, impeached of High Treason.] March 21. A Message was brought from the commons by Mr. Chaloner and others, with Articles of Impeachment for High Treason, and other high crimes and misdemeanors, against sir John Gayre, knight, alderman of London, James Bunce, Thomas Adams, and John Langham, aldermen of the same: who, in the name of the commons, and of all the commons of England, did desire their lordships to put the said aldermen to their Answer; and that such proceedings might be had thereupon as were agreeable to justice: that the house of commons were ready with their Evidence, and that the four impeached Aldermen were by virtue of an order from their house, committed prisoner to the Tower.

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* About this time died Ferdinando lord Fairfax, baron of Cameron in Scotland, and knight of the shire for the county of York. In the Commons Journals of the 16th of this month we find the following Entry: Ordered, "That the now lord Fairfax, General, shall have the place of Steward of the Honour of Pontefract, and Keeper of Pontefract Castle, Park, and Appurtenances, and be Custos Rotulorum for the county of York, in the like manner as his father, lately deceased, formerly had."

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Insurrection of the Apprentices of London, and others, in favour of the King.] April 13. A great tumult, or rather an Insurrection, had taken place in London a day or two before, in which the Apprentices and others rose in great numbers and did much mischief: they beat up drums upon the water to invite the Seamen and Watermen to join them, to fight 'for God and king Charles.' The whole city was in great consternation, nor was the parliament free from fears; for Mr. Whitlocke writes, "That it was no small happiness to the houses, that this Insurrection was, at length, well quieted: since, in those times of discontent and distraction, if it had not been so soon appeased and nipped in the bud, it might have proved of most dangerous consequence to all the parliament's party, and have occasioned a new war." The Memorialist here again adds another moral reflection, viz. "We may take notice of the uncertainty of worldly affairs; when the parliament and their Army had subdued their common enemy, then they quarrelled amongst themselves, the Army against the Parliament: and when they were pretty well pieced together again, then the Apprentices and others make an Insurrection against them both. Thus they were in continual perplexities and dangers."

The following Act of Common Council, as delivered to the house of lords this day by some Aldermen and others, gives a fuller Account of this Tumult:

"At this Common Council, Mr. alderman Fowke and Mr. alderman Gibbs, by the direction of the Committee of the Militia of London, did make a large Relation of the great multitude, insurrection, and mutiny which happened in this city on the last Lord's day and Monday last, by many evil-disposed persons; which first began on the Lord's day in the afternoon, in the county of Middlesex, where they seized the colours of one of the Trained Bands of the said county, who were there employed for the suppressing of such persons as did profane the Lord's day: and, being dispersed by some of the General's forces, did gather together within the city of London and liberties thereof; and, in a riotous manner, did break open divers houses, and magazines of arms and ammunition, and took away arms, plate, money, and other things; and did seize upon the drums of the Trained Bands of this city, which were beating to raise their companies; and armed themselves, and beat up drums, and put themselves in a warlike posture, and seized upon the gates, chains, and watches of this city; and then marched to the lord mayor's house, and there assaulted the lord mayor, sheriffs, committee of the militia of London, and other magistrates of the same; and did shoot into the lord mayor's house, beat back his guards, killed one of them, wounded divers others, and seized and took away a piece of ordnance from thence, with which they did afterwards slay and wound divers persons, and committed many other outrages. All which matters being largely debated, and many particulars insisted upon, both for the discovery and punishment of the said misdemeanors and outrages, and also for the preventing of the like for the time to come, it was at last concluded and agreed by this Common Council as followeth: First, This Common Council do generally conceive that this city was in great danger by reason of the said outrages and misdemeanors; and that if the same had not so timely been prevented and stayed, the whole city would have been exposed to the fury and rage of the said malefactors. And this Common Council do declare, That the same misdemeanor and outrage was a horrid and detestable act, tending to the destruction of the city; that they do disavow the same, and with an utter detestation do declare their dislike thereof. And this Common Council do appoint the Committee of the Militia of London to make the same known to the honourable houses of parliament: and also to make an humble request unto them, That an Order may be issued forth from them to the several ministers of this city, and the places adjacent, that they may be directed to give public Thanks to Almighty God, the Author of this great and wonderful deliverance from that imminent danger wherein the city and parts adjacent were involved. And further the said committee are appointed by this court to apply themselves to the honourable houses of parliament, for the obtaining of a special commission of Oyer and Terminer, for the trying and punishing all the malefactors that had a hand in this detestable action, according to the known laws of this land. And this court, with thankful hearts, do acknowledge the instruments, under God, by which they obtained this deliverance, to be by the forces raised and continued by the parliament, under the command of his excellency the lord-general Fairfax: and to manifest the same, this Common Council do also order, That the said Committee of the Militia, in the name of this city, as a thing agreed upon by an unanimous consent, shall return their hearty Thanks to his excellency, for his speedy and seasonable aid offered unto the city in this their great strait and danger. And this Court, with a general consent, do well approve of the endeavours of the said Committee of the Militia for London, for the raising of the forces of this city; and in their procuring of the said aid and help from his excellency in this extremity, and what else they have done for the appeasing and suppressing of the said Tumults. And this Court do give thanks to the said Committee of the Militia, for their care and pains by them taken upon this sad occasion; and they do appoint Mr. alderman Fowke to declare the same, their Thanks, to such of the said committee as are not of this court. And this court do also, with all thankfulness, acknowledge the pains and care of the right hon. the lord mayor, and the right worshipful the sheriffs of this city, therein. And this court do generally declare, That it is the duty of

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every citizen of this city by himself, and all that do belong unto him, or is under his command, to be ready, upon all occasions, to be aiding and assisting unto the lord mayor, and the rest of the magistrates of this city, for the suppressing of all tumults and disorders within the same. And the several persons now present at this Common Council, by the holding up of their hands, have promised, That, for the time to come, they will use their utmost endeavours, and be ready upon all occasions, to do the same. April 11."

The next ensuing Sunday was appointed by the lords as a day of Thanksgiving for this Deliverance; and a Letter of Thanks was written to the General for his care and diligence in this matter.

Articles of Impeachment against sir John Gayre.] April 14. The commons sent up to the lords their Articles of Impeachment against sir John Gayre, knt. which were read as follows:

ARTICLES of the Commons assembled in Parliament, in Maintenance of their Impeachment against Sir John Gayre, knight, Alderman of the City of London, whereby he stands charged of High Treason, and other high Crimes and Misdemeanors.

"That upon the 26th of July last past, and divers days before and since, he the said sir John Gayre, being then lord mayor of London, at the Guild-hall, and other places within the said cities of London and Westminster, and counties of Middlesex and Surry, contrary to his oath and duty as lord mayor of London, and against his allegiance, hath, together with Thomas Adams, John Langham, and James Bunce, aldermen of London; Wm. Drake, Jeremiah Bains, John Milton, Thomas Papillion, Richard Rumney, and Richard Crook, citizens of London; and with col. Sydenham Pointz, col. John Dalbier, col. James Midhop, capt. Robert Massey, and other Reformado officers and soldiers, and other persons, maliciously and traiterously plotted and endeavoured, with open force and violence, and with armed power, to compel and enforce the lords and commons, then assembled in parliament at Westminster, to alter the laws and ordinances by parliament established for the safety and weal of the realm; and likewise, maliciously and traiterously, to raise and levy war within the places aforesaid, against the king, parliament, and kingdom; and accordingly, at the times and places aforesaid, hath, with the persons aforesaid, and others, maliciously and traiterously raised and levied war against the king, parliament, and kingdom; and together with the persons aforesaid, with open force and violence, and with armed power, did, at the times and places aforesaid, maliciously compel and enforce the said lords and commons, in parliament assembled, to alter, annul, and make void several laws and ordinances by parliament established, and to make new laws and ordinances according to their own will and pleasure.—That the said sir John Gayre, together with the said John Langham, &c. and other reformado officers and soldiers and other persons; which reformadoes, by ordinance of parliament, the lords and commons assembled in parliament, for their tumultuous carriage towards the parliament, were commanded to depart out of the cities of London and Westminster, and 20 miles about the late lines of communication; and the execution of the said Ordinance was committed to the said sir John Gayre, &c. the then Militia of the city of London, who were, by divers orders of the house of commons, put in mind of their duty, and required to put the said ordinance duly in execution, which they did not do; but did, at the times and places aforesaid, traiterously and seditiously procure, abet, maintain, and encourage the said reformado officers and soldiers, and many Apprentices of the city of London, and divers other persons ill-affected to the proceedings of parliament, by open force and violence, and with armed power, to compel and enforce the houses of parliament to revoke, annul, and make void an Ordinance of parliament, made and passed by the lords and commons, now assembled in parliament, the 23d day of July last. (See p. 712.) And likewise, by such open force and violence, and armed power, to compel and enforce the said lords and commons, assembled in parliament, to revoke, annul, and make void a Declaration, made by the said lords and commons the 24th of July last. (See p. 714.) And further, by the said open force and violence, and with armed power, to compel and enforce the said lords and commons, in parliament assembled, to make and ordain an Ordinance of parliament of the 26th of July, whereby they made the ordinance of parliament of the 4th of May, for and concerning the Militia of the city of London, formerly repealed, to be in full force and virtue, any thing in the Ordinance of the 23d of July to the contrary notwithstanding.—And the said col. James Midhop, capt. Robert Massey, and the said other reformado officers and soldiers, apprentices, and others the said ill-affected people, by the procurement, abetting, maintenance, encouragement, and assistance of the said sir John Gayre, &c. did accordingly, traiterously and maliciously, with open force and violence, and with armed power, upon or about the 26th of July, compel and enforce the said lords and commons, in parliament assembled within the city of Westminster, to repeal and make void the aforesaid Ordinance of the 23d of July; and also revoke, annul, and make void the aforesaid Declaration of the 24th of July; and to make again and pass the said Ordinance for the Militia of the 4th of May, formerly repealed.—And by the said open force and violence, and armed power, and by the procurement, abetting, maintenance, encouraging, and assistance as aforesaid, did, on or about the 26th of July, traiterously and maliciously compel and enforce the house of commons to

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vote, That the king should forthwith come up to the city of London; which procuring, abetting, maintaining, encouraging, and actual force as aforesaid, was procured and done to the intent and purpose to annul and make void several laws and ordinances made by the lords and commons assembled in parliament for the safety and welfare of the people of this realm, and to destroy and take away the just power and authority of the parliament; and to the further intent, that he the said sir John Gayre, with others his said confederates, might be the better enabled to carry on their traiterous design of levying the said war against the king, parliament, and kingdom.—That, in further prosecution of his said traiterous levying the said war, and other his traiterous plottings, contrivances, and abetting as aforesaid, he the said sir John Gayre, &c. and other persons, caused many of the reformado officers and soldiers, and many regiments of other armed men, to the number of 10,000 armed men, and upwards, upon or about the 30th of July last past, to be listed and raised; and being so listed, armed, and raised, to be employed with weapons of war, offensive and defensive, in a warlike manner, to fight against the Army under the command of sir Tho. Fairfax, who was, by Ordinance of lords and commons, assembled in parliament, appointed to defend the parliament and kingdom, and was then marching up to the city of London to that purpose: and the said sir John Gayre, and the said reformado officers and soldiers, and persons aforesaid, with the said regiment of armed men and other forces, at the time aforesaid, did levy actual war within the cities of London, and Westminster, counties of Middlesex and Surry, against the king, parliament, and kingdom.—By all which means and ways, he the said sir John Gayre hath, traiterously and maliciously, complotted, continued and actually levied war against the king, parliament, and kingdom, and hath traiterously and maliciously plotted, contrived, procured, and abetted the forcing of the said houses of parliament as aforesaid; which actually by him, and his abetment and procurement, hath been done accordingly: for all which they do impeach him of High Treason against the king, his crown and dignity.—And the said commons, by protestation, saving to themselves a liberty of exhibiting, at any times hereafter, any other accusation or impeachment against the said sir John Gayre; and also of replying to the Answers that the said sir John shall make to his said Articles, or any of them, and of offering further proof also of the premises, or any of them, or any other Impeachment or accusation that shall be, by them, as the cause shall, according to the course of parliament, require, do pray that the said sir John be put to answer all and every the premises; and that such proceedings, examinations, trial, and judgment may be upon every of them had and used, as is agreeable to law and justice."

Hereupon the lords ordered, That sir John Gayre, now prisoner in the Tower, be brought to their bar on Wednesday next to receive this Charge brought up from the house of commons against him.

The Lords fine sir J. Gayre 500l. for a Contempt.] April 19. The lieutenant of the Tower having brought up sir John Gayre to the house of lords, the Speaker commanded him to kneel at the bar as a delinquent; which he refused to do, and desired to be heard: but being commanded again to kneel, and he still refusing to do so, the lords directed him to withdraw; and then taking into consideration the high Contempt hereby offered to their house, fined him 500*l.* to the king, to be presently estreated into the exchequer.—Sir John being called in again, and told by the Speaker, That the lords had fined him 500*l.* for his high Contempt; and the Impeachment being then read in his presence, he said, He disavowed and abhorred the offences which he had heard read to him: he also desired a copy of his charge, time to answer it, and that such council as he should desire might be assigned him; which the lords agreed to.

April 12. The Articles of Impeachment brought up from the commons against Thomas Adams, alderman of the city of London, were read: but, being the same as those against sir John Gayre, it is unnecessary to repeat them.

The Earl of Northumberland's Narrative of the Duke of York's Escape.] April 22. The earl of Northumberland acquainted the lords, that the duke of York had conveyed himself privately from St. James's, none of his servants knowing of it. On which that house ordered a present conference with the commons, at which the earl was to make the Narrative of the manner of the duke's Escape, as he then had done. It was afterwards agreed by the lords, that the matter, to be communicated to the commons at this conference, should be as follows:

"That the lords do well remember that it was reported to both houses from the committee of lords and commons at Derby-House, upon a former design of the duke of York's going away, that the earl of Northumberland desired that he might not be further accountable for the duke of York; for that it appeared there was a design of taking him away, and that the duke was consenting to it. The same declaration was likewise made by the said earl in the house of peers; yet notwithstanding this report and declaration of the said earl, upon the receipt of two letters from the duke of York, directed to the Speakers of both houses, by which he engaged his honour and faith never to engage himself any more in such business, both houses did, by a Vote of the 2d of March, 1647, desire the earl of Northumberland to take the best care he could of the said duke and the rest of the King's Children, and to continue them still under his charge and care; which the said earl did accept, so as he might not be accountable if any such accident should

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fall out as that he should go away. Upon consideration thereof, and the account which the earl hath this day given, the lords do declare, that they are fully satisfied that the said earl hath discharged his duty and trust so far as could be expected from him."

The commons gave their concurrence to this Declaration of the lords, and immediately resolved that the allowance, made by parliament to the duke of York, should be taken off.

Proceedings on the Impeachment against Alderman Adams, &c.] April 26. Alderman Adams was brought to the bar of the lords, to receive his Charge of high treason, and other high crimes and misdemeanors brought up from the commons against him; where, being commanded to kneel as a delinquent, he desired to be excused from kneeling; which answer the lords took for a Contempt; and, after commanding him to withdraw, fined him 500*l.* to be estreated into the exchequer, and levied forthwith.—Then he was called in again, and the Speaker told him, That their lordships had fined him 500*l.* for his high contempt to that house, in refusing to kneel at their bar; and then commanded his Charge to be publicly read to him, which was accordingly done. Next the Speaker told him he should have a copy of his Charge, if he desired it, and counsel assigned him; which was accordingly ordered.

Next John Langham and James Bunce, aldermen, were called in separately, and both set to the bar and commanded to kneel; which they also refusing, were each fined 500*l.* for their Contempt, and were remanded back to the Tower. The fines were ordered to be estreated forthwith, and copies of the writs for that purpose are entered in the Journals.

Information of the Scots intending to march into England.] On the 23d of this month information had been made upon oath, before the lord mayor of London, by one John Everard, "That he being in bed at the Garter Inn at Windsor, three days before, over-heard some gentlemen in the next chamber (who he believed were officers of general Fairfax's Army) discoursing together to this effect; "That they doubted not but the Scots would come in, and that the city of London would join with the Scots; for preventing of which they found no way but to disarm the city, friend and foe; and afterwards they would intimate, that such as were friends to the Army should come forth into the fields and there be armed, and also maintained at the charge of the citizens, so long as was thought fit to continue them, and so keep the rest in awe: that the city should advance a million of money, or else be plundered: and that they had acquainted commissary-general Ireton therewith." *

Petition from the City of London to both Houses thereupon.] April 27. The lord mayor, aldermen, and common council of London presented a Petition to both houses, (to which was annexed a copy of Everard's Information) setting forth, "that they had received divers reports to the same effect, by letters from different parts of the kingdom, and from

* The following account of the state of parties in Scotland, at this time, is given by Mr. Hume: "Three parties now prevailed in Scotland: The *Royalists*, who insisted upon the restoration of the king's authority, without any regard to religious sects or tenets: of these Montrose, though absent, was regarded as the head. The *Rigid Presbyterians*, who hated the King, even more than they abhorred toleration; and who determined to give him no assistance, till he should subscribe the Covenant: these were governed by Argyle. The *Moderate Presbyterians*, who endeavoured to reconcile the interests of religion and the crown, and hoped, by supporting the presbyterian party in England, to suppress the Sectarian Army, and to reinstate the parliament, as well as the king, in their just freedom and authority: the two brothers, Hamilton and Laneric, were leaders of this party. When Pendennis Castle was surrendered to the parliamentary Army, Hamilton, who then obtained his liberty, returned into Scotland; and being generously determined to remember ancient favours, more than recent injuries, he immediately embraced, with zeal and success, the protection of the royal cause. He obtained a vote from the Scottish parliament to arm 40,000 men in support of the King's authority, and to call over a considerable body under Monro, who commanded the Scottish forces in Ulster. And though he openly protested, that the Covenant was the foundation of all his measures, he secretly entered into correspondence with the English royalists, sir Marmaduke Langdale and sir Philip Musgrave, who had levied considerable forces in the north of England.—The General Assembly, who sat at the time, and was guided by Argyle, dreaded the consequence of these measures, and foresaw that the opposite party, if successful, would effect the restoration of monarchy, without the establishment of presbytery, in England. To join the King before he had subscribed the Covenant, was, in their eyes, to restore him to his honour before Christ had obtained his; and they thundered out anathemas against every one who paid obedience to the parliament. Two supreme independent judicatures were erected in the kingdom; one threatening the people with damnation and eternal torments; the other with imprisonment, banishment, and military execution. The people were distracted in their choice; and the armament of Hamilton's party, though seconded by all the civil power, went on but slowly. The royalists he would not as yet allow to join him, lest he might give offence to the ecclesiastical party: though he secretly promised them trust and preferment as soon as his army should advance into England."

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abroad; and therefore desiring that a proper examination might be made into this business, and such course taken therein as the houses should think fit: also that the chains of the city, which had been lately taken down, might be set up again: the Army be removed to a farther distance: and that an Ordinance might pass to appoint major-general Skippon to be major-general over the forces of the city, and within the lines of communication and bills of mortality, for defence of them and the parliament; to whom the city resolved to adhere according to the solemn League and Covenant."—The lords gave the petitioners thanks for their good affections and resolutions to adhere to the parliament according to the Covenant: that as to the setting up again the chains of the city, they leave it to the lord-mayor and common-council to do as they think fit: and that as to major general Skippon, he being a member of the house of commons, they can do nothing without the assent of that house, but will take the matter into farther consideration.—The same Petition, with a copy of Everard's Information, was presented to the commons, who approved the desires of the lord mayor and common council concerning major-general Skippon; ordered the militia to see the chains set up again; and gave their thanks to the petitioners. The Speaker was also ordered to acquaint them, That the occasion of part of the Army's being drawn so near, was the late tumults; that the house would take this business into consideration, and proceed thereupon in such manner as might be most for the good and safety of the parliament and city, so far as thereby they might receive satisfaction.

Votes of the Commons relating to the Settlement of the Kingdom.] April 28. A question was proposed in the house of commons, That they will not alter the fundamental government of the kingdom, by king, lords, and commons. And another question being also put, Whether this word *will* should be in it? it was carried in the affirmative, 165 against 99; so that it was resolved, upon the question, That they *will* not alter the fundamental government of the kingdom by king, lords, and commons. After which it was resolved, 'That the matter of the Propositions sent to the King at Hampton-Court, by consent of both kingdoms, shall be the ground of the debate for the Settlement of the peace of the kingdom.' These words, *That the Matter of*, were prefixed to the Resolution, after debate, by a majority of 108 against 105.—Next it was proposed, 'That leave be given to any members of this house, in debate of the Settlement of the kingdom, to propound any thing for the same as they shall think fit, notwithstanding the Votes of the 3rd Jan. last;' which was carried also in the affirmative, by 146 against 101.

Desires of the Parliament of Scotland, touching the Covenant, the King, the Army, &c.] May 2. A Letter from the parliament of Scotland, dated at Edinburgh, April 26, 1648, was read, directed to the Speaker of the house of lords:

"Right honourable; The Parliament of Scotland, now assembled, being resolved, by all fair and just means, to endeavour the preserving and maintaining the brotherly union and good correspondency betwixt the kingdoms, to which, by so many bonds and ties, they are mutually obliged; yet being very sensible that the many just and necessary Desires, given in by their commissioners, by order from this kingdom, for the good of religion, of his majesty, and for the interest of Scotland, have not received a satisfactory Answer, and considering the many great and imminent dangers threatening religion, his majesty's person and authority, yea monarchical government itself, and the peace and union of these two kingdoms of Scotland and England, by the power and prevalence of sectaries and their adherents, have thought fit to make these just and necessary Demands to the honourable houses of the Parliament of England, to which the parliament desires a clear and satisfactory answer; not having the least thought or intention to incroach upon the national rights of the kingdom of England, nor to entrench upon the privileges of parliament, but their zeal to the glory of God, their loyalty to their king, and their desire of unity betwixt the kingdoms, have moved them to make these inclosed Demands, whereby religion may be settled according to the Covenant, his majesty may enjoy his freedom and just rights; and so, by settling a religious and safe Peace, the present confusions and distempers may be removed, and all occasions of mistakes and differences betwixt the two kingdoms prevented. This is all I have in command from the parliament, in whose name this is subscribed by your, &c. LOUDON, Canc. President of the Parliament."

DESIRES of the Parliament of Scotland, to the Honourable Houses of the Parliament of England, referred to in the foregoing; dated Edinburgh, April 26, 1648.

1. "It is desired, that an effectual course be taken by the houses, for enjoining the Covenant to be taken by all the subjects of the crown of England, conform to the first Article of the Treaty, and conform to the Declaration of both kingdoms, in 1643; by which all who would not take the Covenant, were declared to be public enemies to religion and the country, and that they are to be censured and punished as professed adversaries and malignants; and that reformation and uniformity in religion, be settled according to the Covenant: that as the houses of parliament have agreed to the Directory of Worship, so they would take a real course for practising thereof by all the subjects of England and Ireland: that the Confession of Faith, transmitted by the Assembly of Divines to the houses be approved; and that presbyterian church-

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government, with a subordination of the lower assemblies to the higher, be settled and fully established in England and Ireland; and that effectual course be taken for suppressing and extirpating all heresies and schism, particularly Socinianism, Arminianism, Arianism, Anabaptism, Antinomianism, Erastianism, Familism, Brownism, and Independency; and for perfecting of what is yet further to be done, for extirpating Popery and Prelacy, and suppressing the practice of the Service-Book, commonly called 'The Book of English Common Prayer.' II. That, conform to the former Desires of this kingdom, the king's majesty may come with honour, freedom, and safety, to some of his houses in or near London, that the parliaments of both kingdoms may make their applications to him, for obtaining his royal assent to such Desires, as shall be by them presented to him for establishing of religion as is above expressed, and settling a well-grounded peace. III. That all the members of both houses, who have been faithful in this cause, may freely and safely return and attend their charges; the city of London may enjoy its liberties and privileges, which it had before the late encroachment of the Army, the parliament may sit and vote with freedom and safety; both kingdoms, without interruption or disturbance, may make their applications to his majesty; and the settling of religion and peace may not longer be hindered and obstructed; it is desired that the present Army of Sectaries, under the command of Thomas lord Fairfax of Cameron, be disbanded; and none employed but such as have or shall take the Covenant, and are well-affected to religion and government; excepting from the said disbanding the garrisons necessary to be kept up by the parliament of England for the security of that kingdom, which are desired to be commanded by such as have or shall take the Covenant, and are well-affected to religion and government as aforesaid. LOUDON, Canc.' President of Parliament."

The Speaker further declared, that the messenger that brought this Letter told him, he had directions from the parliament of Scotland to stay in England but 15 days after the delivery of this letter: whereupon the lords ordered it to be immediately communicated to the commons.

The Scots had frequently expressed a jealousy of the parliament's falling off from their Solemn League and Covenant. To remove therefore all such imputations, they passed, this day, an Ordinance for suppressing Heresy and Blasphemy.

Votes of both Houses in favour of the Constitution of the Kingdom, a Treaty with the King, &c.] May 6. Petitions having come up from several counties to the parliament, to settle the government and restore the public peace: hereupon, the commons thought proper to send up some votes to the Lords for their concurrence, which were agreed to, and are as follow:—1. "That they do declare that they will not alter the Fundamental Government of the Kingdom, by king, lords, and commons. 2. That they do declare themselves fully resolved to maintain and preserve inviolably the Solemn League and Covenant, and the Treaties between the kingdoms of England and Scotland; and that they shall be ready to join with the kingdom of Scotland in the Propositions agreed on by both kingdoms, presented to the King at Hampton-Court, for the making such proceedings thereupon, as shall be thought fit for the settlement of the Peace of both kingdoms, and the preservation of the union according to the Covenant and Treaties. 3. That this last Vote be sent to the Commissioners in Scotland, to be by them communicated to the parliament in that kingdom."—But, notwithstanding these seemingly pacific proceedings, the commons took care to make peace sword in hand, by passing a vote this day, on a division of 127 against 76, That the seven northern counties be forthwith put into a posture of defence.

About this time came advice that the duke of York, who had lately made his escape from the earl of Northumberland, was arrived at the Hague, where he was kindly received by his sister, the princess royal of Orange. The manner of his highness's Escape, and the circumstances that occasioned it, are particularly related by lord Clarendon.*

May 11. Both houses having thought fit that a Letter should be sent to the parliament of Scotland, to acquaint them, That the sending the General with the Army into the North, was but to settle and secure those parts, and regain Berwick and Carlisle; a committee was ordered accordingly.—The same day a Letter from col. Horton was read, giving intelligence of the routing of Laugharn's forces in Wales. In consequence of which, it was ordered that Monday next, the 18th instant, be appointed a day of Thanksgiving for so great and seasonable a Victory.

Remarkable Petition of the County of Surrey for a Personal Treaty with the King; which occasions a Riot.] May 16. We have already taken notice that several Petitions had been sent up, from different parts of the kingdom, praying for a speedy Settlement of the nation. The most remarkable of these was this day presented to both houses, from the county of Surrey; the heads of which are thus given by Mr. Whitlocke: "That the King may be restored to his due honour and just rights, according to the oaths of Supremacy and Allegiance; and that he may be forthwith established in his throne, according to the splendor of his ancestors: That he may, for the present, come to Westminster with honour and safety, to treat personally for composing of differences: That the free-born subjects of England may be governed by the known laws and statutes: That the war now beginning may be prevented:

* See vol. v. 8vo. edition, p. 130.

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And that the Ordinance for the preventing free-quarter may be duly executed, and speed made in disbanding all Armies, they having their due Arrears paid them."—The lords answered the petitioners, "That they were at present upon consideration of the Settlement of the kingdom, and doubted not but to satisfy all."

The Memorialist proceeds thus: "This Petition was presented to the commons in the afternoon, when some of the countrymen being gotten almost drunk, and animated by the Malignants, as they came through Westminster-Hall, they fell a quarrelling with the Guards, and asked them, 'Why they stood there to 'guard a company of rogues?' That then words on both sides increasing, the countrymen fell upon the Guards, disarmed them, and killed one of them, and wounded divers. Upon this alarm more soldiers were sent for from Whitehall and the Mews, who fell upon the countrymen, killed five or six of them, and wounded very many; chasing them up and down through the Hall, and the lanes and passages thereabouts."—General Ludlow gives much the same account of this tumult; adding, "That lieut. colonel Cobbett, who commanded the Guard, being called into the house to give an account of what had passed, went to the bar, bleeding from the wounds which he had received, and related the passages before-mentioned; but some friends of the petitioners within doors informing the house that the matter of fact was otherwise than had been represented by the lieut. colonel, the parliament appointed a committee to examine into the truth of it."—This last circumstance is confirmed by the Journals; which authority also further informs us, "That the petitioners gave out words, 'That they would have a speedy 'and satisfactory Answer, or else they would 'have the Blood of that house;' and had withdrawn themselves into the Fields." Hereupon the commons ordered their thanks to be returned to the officers upon guard for the preservation of their house: but a motion being made for giving an Answer to the petitioners, it passed in the negative.

Information of some Insurrections being intended, in and about London, against the Parliament.] May 13. The last Petition from the city of London had been long under consideration by both houses; and this day a Paper from the committee of lords and commons, for the Safety of the Kingdom, sitting at Derby-House, was read in these words:—"Ordered, That it be reported to both houses, that this committee hath secret intelligences, that there is a design of very dangerous consequence ready to be put in execution against the parliament, city, and kingdom, by forces being listed for that purpose under an oath of secresy, a more particular account whereof this committee will be able to give the houses to-morrow; in the mean time to desire the houses to give present order to the several Militias of London and parts adjacent, to be in a ready posture to prevent or resist the same; and that also present order be forthwith given to all the keepers of the prisons, that all prisoners committed for acting any thing against the Parliament, may be kept securely within the said several prisons."—Both houses approved of the particulars of this report, and ordered, That the lord mayor do call a Common-Council next day; and that then a committee of lords and commons do go thither to let the citizens know how ready the houses have been to grant their desires; and to desire them that they would take care for the suppressing of Insurrections and Tumults, and for preservation of the parliament.—The same day, the lords passed an Ordinance, sent up from the commons, for making major-general Skippon major-general of all the forces within the late lines of communication and bills of mortality, according to the city of London's Petition.

May 19. The earl of Manchester presented to the house of lords a Report from the Committee of Safety at Derby-House, containing several Letters and Papers relating to the many Insurrections now on foot in different parts of the kingdom: these, being rather military than parliamentary, we shall omit. They will all be found in the Lords Journals, vol. 10. p. 267, et supra. Amongst them was a Report from the Committee of Safety, of the transactions of major Desborough and the commissioners sent down to Bury, in Suffolk, to suppress a riot in that town; where, as Mr. Whitlocke informs us, "Six hundred men got together in arms, about setting up a may-pole, crying out 'For God and King Charles,' laid hold on some of the parliament's soldiers, and set guards in several places."—Lastly was read, a Letter from the lord Fairfax, with several Papers inclosed, relating to a high quarrel between the mayor of Exeter and the soldiery there. Upon reading these Papers in the house of commons, they resolved that the forces under sir Hardress Waller be forthwith removed thence; and that a Letter be sent from their Speaker to the General, to desire immediate execution of that Order.

Declaration against presenting Petitions to Parliament in a tumultuous Manner.] May 20. The following Declaration, for preventing tumultuous Assemblies under pretence of presenting Petitions to parliament, was agreed to by both houses:

"The lords and commons in this present parliament assembled do declare, That as it is the right and privilege of the subjects of England, to present unto the parliament their just Grievances, by way of Petition, in a due manner; and they shall be always ready to receive such Petitions, and to provide such remedies for redress of such grievances, as they in their wisdom and judgment shall think best; so, in regard that by tumultuous Assemblies of persons in several counties and cities of this kingdom, in the framing of such Petitions, divers plots and designs are carried on by Malignants

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and Delinquents, and persons ill affected, to the endangering the destruction of religion, this present parliament, and the laws of this kingdom, and liberties of the subject; and, by the like tumultuous presenting of the same by great numbers of rioters and ill-affected persons, contrary to former usages in antient times, many mischiefs have ensued, and bloodshed; and both houses of parliament hindered and interrupted in their debates and resolutions, concerning the Settlement of the great affairs, peace, and safety of the kingdom; the said lords and commons do hereby declare and ordain, and be it ordered and ordained by authority of this present parliament, That every such Petition, which hereafter shall be brought up and presented to the houses of parliament, from any county or city, or otherwise, shall be brought up and presented only by a convenient number, not exceeding 20 persons; and all such Petitions shall be by them delivered to the knights, citizens, or burgesses, who serve in parliament for the said county, city, or borough, from whence the said Petitions come, or to some member of either of the said houses, by them to be offered to the said respective houses; and that all persons who shall bring up any such Petition, do behave themselves peaceably, orderly, and without offence. And if any person or persons shall hereafter, under any such or the like pretence, tumultuously assemble as aforesaid, the said person or persons so offending, shall be adjudged as persons ill affected to the parliament and kingdom."

Several Members appointed to go down into Surrey, on account of the late Petition from that County.] We have before taken notice of a remarkable Petition from the county of Surrey, presented on the 16th, to the house of commons, in a riotous manner; that thereupon they had refused to give any Answer to it, and had appointed a committee to examine into the occasion and circumstances of the riot: however, we find the commons thought it more prudent, at this crisis, to sooth, than to exasperate, the petitioners; for, this day, they made an Order, That the members who served for Surrey, and other members dwelling in that county, be desired to go down there. The following Instructions were also drawn up, and sent by sir Richard Onslow to the lords, who gave their concurrence:

INSTRUCTIONS for such Lords, and Members of the House of Commons, as shall be sent into the County of Surrey.

"That the earl of Northumberland be desired to go suddenly down, with such other gentlemen as the house shall please to nominate, into the county of Surrey. That they use their endeavours, by the best ways and means they shall think fit, to inform the county of Surrey of the undue manner of delivering a Petition to the houses, on Tuesday last, by many of the inhabitants thereof; and of the great disorder that was amongst the petitioners, by tumultuous shoutings, whilst the houses were in consideration of the Petition; to the drawing together many disaffected persons in and about Westminster, to the danger and interruption of the peaceable sitting of the houses. That the houses cannot attribute those disorders to that county; but do retain in memory their many faithful services and good affections expressed to the parliament; and doubt not but those distempers that fell out were contrary to the desires and liking of that county. That they inform the inhabitants of that county, That the houses intend not to hinder their presenting of Petitions in a due and fitting way; but shall be ready to give all encouragement and answers thereunto, for the satisfaction of their just desires. That the houses are upon the present consideration of matters of most weighty concernment to the Settlement of the Kingdom in a safe and happy Peace; and expect to be free from tumultuous interruptions therein. That the houses have ordered the restoring such horses as were taken away from divers of the petitioners, that behaved themselves in a peaceable manner at that time: and they shall take care that the whole business be duly examined; and that all witnesses be freely heard; and expect that no misrepresentations may be made thereof in the mean time."

The City of London resolve to adhere to the Parliament, and petition for the Discharge of their impeached Aldermen, &c.] The same day Mr. Annesley reported the substance of the Answer of the common council of London, to the committee of both houses who went into the city on the 19th, viz. "That they did acknowledge, with all thankfulness, the great pains and care of the parliament for them; that their resolutions were constant, to remain firmly conjoined in opposition to the common enemy, who watch for their ruin; that they look upon the news the committee brought them, as light breaking through the clouds; and that they do resolve, in pursuance of the Solemn League and Covenant, to live and die with the parliament."

May 23. The following Petition was presented to both houses from the city of London.

The Humble PETITION of the Lord Mayor, Aldermen and Commons, of the City of London in Common Council assembled,

"Sheweth; That as your petitioners, in all humility, do thankfully acknowledge the many former favours of this honourable house, manifested to this city, so in particular in granting their desires, expressed in their late Petition concerning the Tower and Militia of London; and in communicating unto the petitioners several Votes of both houses of parliament; wherein, to your petitioners great joy and comfort, are expressed your Resolutions, That you will not alter the Fundamental Government of the kingdom, by king, lords, and commons: That you will preserve inviolably the Solemn

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League and Covenant, and the Treaties between the kingdoms of England and Scotland; and that you will be ready to join with the kingdom of Scotland in the Propositions agreed upon by both kingdoms, and the Preservation of the union according to the Covenant and Treaties.—And your petitioners further humbly present to this honourable house, That the inhabitants of the city are much grieved, in that their magistrates and fellow-citizens have, for a long time, been under restraint, and the city thereby deprived of their service; and humbly pray, That in prosecution of your said Votes, you will be pleased to improve all good opportunities in perfecting so desirable a good as is therein expressed, for the speedy settlement of the Peace of both kingdoms, and preservation of the union according to the Covenant and Treaties, and preventing a new and bloody war. That the Aldermen now in the Tower, the Recorder, and the rest of their fellow-citizens restrained upon the same occasion, may be discharged and restored; whereby the city may be the better united, their hands strengthened, and they made more serviceable to the parliament and city for their preservation and safety, which they shall endeavour to the utmost of their power and abilities. And the petitioners shall ever pray, &c."

The lords returned the petitioners Thanks; and gave them assurance of taking all opportunities for a speedy settlement of a safe Peace in both kingdoms, according to the Covenant; and endeavouring to prevent a new and bloody war: That upon the Impeachments sent from the commons, they had proceeded no otherwise than in the usual course of parliament: That as to the Recorder and the rest not impeached, they would endeavour their release; and assured the city of their inclinations to comply with these desires from them, as a means firmly to unite them, to fasten their hearts, and strengthen their hands to serve the parliament, in order to the establishment of religion and the peace of the kingdom according to the Covenant.

Votes of the Commons in Consequence thereof.] The Speaker of the commons acquainted the citizens, That the house had considered their Petition; that in it were many Desires which are expressed to tend very much to the union of the city in itself: which how much that house desired, would appear by the following Votes: 1. "That Mr. Glynn, Recorder of the City, be discharged from any proceedings upon the Vote for his Impeachment. 2. The like order made for lieut. col. Baines; the colonels Chapman, Vaughan, Copley, Bromfield, and Hooker; the captains Jones and Cox. And, 3. That upon the desire of the Militia of London, the horse and foot in the Tower should be removed from thence, and joined with the forces at Whitehall and the Mews; there to continue till the city declare they are in a posture to defend the parliament and themselves."—He also further informed them, That as to the case of the Aldermen in the Tower, it was a business of a very serious and important consideration; and therefore the house had resolved to resume the debate of it on that day se'nnight.—The citizens being withdrawn, the commons resolved, "That such members of their committee as went to the last Common Council, be enjoined to go to another, appointed to meet tomorrow, and represent unto them the great necessity there is for the payment of the Arrears due from the city to the Army: that neither they, the parliament, nor city, can be long safe without a speedy payment of those Arrears; besides the influence it hath upon other parts, by the ill precedent that this great city should be so far behind in arrears, at such a time; and to press that 30,000*l.* of the said Arrears may be forthwith advanced; and the remainder thereof brought in with all speed."

The Commons resolve to treat again with the King.] May 24. The commons still pursued their design of beginning another Treaty with the king, for settling a safe and well-grounded Peace. And this day the question being put in that house, That Religion and the Militia being first settled, and the Declarations, &c. being recalled, then a Treaty should be had with the king upon the other Propositions sent to him at Hampton-Court, it passed in the affirmative, on a division, 169 against 86. These Propositions being afterwards reduced into form, it appeared thereby that the King must agree to settle the Presbyterian Government for 3 years, and the Militia, by sea and land, in the hands of the parliament for ten: And that all his declarations, proclamations, judgments, indictments, and outlawries should be recalled and made null before any Treaty was to be had with him.

Information of an intended Insurrection in London, &c. in favour of the King.] May 26. The lord Say and Sele reported a Paper from the committee at Derby-House, which was read as follows: "Ordered, That it be reported to both houses, that this committee having written to the General to take care for prevention of the dangers, that are imminent from the Insurrections and distempers of the people in several counties adjacent; the lord general hath desired, that, to enable him to it, the forces in the Tower and the Mews may be free to follow his order for it: To offer it, thereupon, to the consideration of the houses, if those forces be made use of to that end, how the houses may sit secure.—That whereas this committee formerly reported to the houses, that there was a Conspiracy carried on in and about London, under an Oath of Secresy; that we have received several informations since, that the said conspiracy is still carried on; that the committee of the Militia of London sent to this committee a copy of that Oath of their Association, which is hereunto annexed. —We have also intelligence, that, on Tuesday next, there will be a meeting at Black-Heath of the Kentish men; the same day, of the Surrey men at Putney-Heath; and of the Essex

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men, at Wanstead; and that they had intelligence one with another, as we are informed.—We are also informed, that the people about Greenwich and Deptford are risen, and have seized the stores at Deptford."

Copy of the Oath of Secresy.

"Imprimis, It is covenanted and agreed by all the parties to these presents, that all and every of them shall forthwith voluntarily take the Oath and Covenant hereunto annexed, and shall engage as many friends to join with them in the same as possible may be.—Item, It is agreed that one or more person or persons, parties to these presents, for every parish or precinct, shall be elected to be agents for the rest, to list the names of such persons within their parishes as shall voluntarily join with them in the said Oath; and they, from time to time, to hold intelligence each with the other, as occasion shall require, for the advancement of the design.—We do voluntarily swear by the Holy Evangelists, and the contents thereof, with our lives and fortunes to maintain, preserve, and defend the true protestant religion established by law, the laws of the land, the just rights and prerogatives of the king's majesty and his successors, and the just rights of his subjects; and also to be faithful, true, and just unto all persons whomsoever here interested, and faithfully to keep their secrets; also faithfully and duly to observe, perform, and keep this Oath and Covenant, and above-recited Covenant, Orders, and Ordinances; and not to reveal or discover them to any but those who are or shall be hereby engaged."

The foregoing Report having been laid before the commons, they sent a message to the lords, desiring the same might be communicated to the common council of the city of London that afternoon; which was agreed to.

Letter from Col. Hammond, relating to the Security of the King's Person, and the Insurrections in his Favour.] May 27. A Letter from col. Hammond to the committee of safety was communicated to the lords and read in that house:

"My lords and gentlemen; The last night there came hither one Job Weal, a physician as he calls himself, living at Kingston upon Thames. He came hither with post horses, pretending to come in great haste from my lord-general, employed by him to me on business of highest concernment. He counterfeits himself in a fainting fit, by reason of hard riding, and that he would not declare his business to me till he had drank some hot waters to recover his spirits; which preamble being ill managed to this business, made me suspect him to be a knave, as I afterwards more plainly found him: so soon as he feigned to come to himself, he began to tell me that his business imported the safety of my life, and, that which was dearer to me, the great charge in my hands, the security of the Person of the King; and that to this end I should immediately remove the king to Portsmouth, to major Lobb, to whom he had directions to receive him; that otherwise the king would be violently taken hence the next morning by 4 o'clock, and myself a dead man; for to his knowledge the scheme was so laid; and it was thus: That there was a fleet of ships at sea, near the coast, that were to come in between the island and the land-shoar that evening, who were to land in the night; and that great numbers were to come out of the main land, pretending occasions at a fair which was to be kept at Newport on the morrow, who should assist them; and at the same time all the beacons in the island were to be set on fire, and to raise the country for the king; and if not, to amaze them with fear, that so they might the better carry on their design, which there was no way to avoid, but as he had given me direction. When he had concluded his tale, I inquired of him, Whether he had any thing in writing to confirm it? He told me, That this instruction to me was intrused to him to communicate only by word of mouth, but he had instructions in writing, quilted up in his waiscoat, for major Lobb. I desired him to let me see them, he told me his order was only to communicate them to major Lobb. I said I must see them; he refusing, I told him I apprehended he had other business here, and if he would not immediately let me know it, I must take another course with him; whereupon I caused him to be strictly searched, and found only these Papers about him; that Letter from him, without subscription or direction, he saith was to my lord of Dover; the rest Petitions and some notes of Instructions of his own. When he found his idle plot would not take, and that he was discovered, he told me that he would deal ingenuously with me, and would tell me truly: his business was principally, by this means, to gain an interest with me, that he might speak with the king, to procure leave from him that the county of Surrey, from whom he was sent to that purpose, might have his majesty's approbation to choose a commander in chief, under whom to put their country in a posture of defence. Upon his way he stopped a post going from Portsmouth to London with this inclosed packet, which, if your lordships please, may be speedily delivered, being about victuals for the Navy. I perceive by discourse with him, that he hath been a great promoter of the Surrey Petition, and an agent of the Malignants there.—My lords, I take this occasion to let your lordships know that I wrote formerly to the General for a company or two of foot more, for the better security of this island from any sudden accident that may happen from sea, which it seems he hath not thought fit to spare: I desire your lordships that, if you shall approve of it, there may be another company or two more raised and maintained during this occasion some other way; and that some force may lie in Hampshire near the water side, in the room of those lately removed thence, to be ready upon all occasions to be transported hither; the two companies to be paid out of the remainder of the 30*l.* per diem I am now

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raising; but I fear I shall be much troubled with them in the island, by reason the money comes not so constantly and duly as were to be wished, for there is no keeping soldiers in very good order without money before hand, where there is no free-quarters. I desire also that, for the better ordering of those companies here already, and to be raised, and for my own ease, if you shall think fit, that I may have a major under me, and pay allowed for him during this occasion: I desire it may be capt. Rolph, who hath a company here already, who is an honest, faithful, and careful man, and who taketh a great deal of pains and deserveth encouragement. The addition of major's pay to him will be little, and not worth speaking of; but so much deserved by him, and such an officer is so necessary for me, that maketh me beg of your lordships it may be moved in the house, if it cannot be otherwise done.—Here is now but one ship riding before this island for the guard of it, and the captain of her hath this day sent me word, that he is to go in to victual on Wednesday next. I desire that care may be taken that we may not in these times of trouble, be without a sea-guard, I am, &c. R. Hammond. Carisbrooke Castle, May 22."

COPY of the intercepted LETTER to the Earl of Dover, mentioned in the foregoing.

"My lord; Since I spake with your honour, I was with my lord Fairfax at Windsor, and dispatched the business with him, the particular account whereof I will render, God willing, to the county at their next meeting. I could not get from thence till about 4 o'clock on Saturday, and, for want of good horses and a guide, I could not make Farnham until 6 o'clock on Sunday morning; I thought it fit therefore to take post horses and a guide to Portsmouth. You shall have an account so soon as I can dispatch the business with his majesty. In the mean time I desire your lordship to communicate to sir Edm. Bowyer and Mr. Price as much, as soon as possibly you can; and desire them to use their endeavours that sir Rd. Onslow and sir Ambrose Brown may be intreated to give meeting to the county in general, the next Wednesday at the furthest, on Epsom common by ten in the morning; and that the county advise with them how they may give satisfaction to the parliament concerning the Petition, and what to do therein, and hereof that they will not fail; at which time, God willing, I will be there with Instructions from his majesty for our safe and secure proceedings, and satisfaction to all those who shall make any objection thereunto. And I beseech you that order may be taken that the examination of the county for their injuries, and the true cause thereof, upon oath may be ready against the same time; and so in post haste, I remain, on the oath of a soldier, 'Fide & Taciturnitate,' your lordship's friend and servant to command, for my country's and county's good; and the word is the Anagram of my name, '*Obey Law.*' Job Weal. Farnham. May 21."

Mutiny in the Fleet.] May 27. A Letter from col. Rainsborough, vice-admiral of the Fleet, at Landguard-Fort, was sent to the lords by the commissioners of the admiralty, and read as follows:

"May it please your lordships; The present distemper of this county is such as hath put as sad a face on things as ever England saw; and it hath begot a Distemper in the Fleet, which I am confident, though something allayed at present, will be of as dangerous consequence as any one thing besides, if this gathering be not, by some means or other, speedily suppressed. That which is the greatest motive to the disturbance of the seamen, is that these parts are wholly for the King. The Swan set sail yesterday, being convoy to the Hopeful and one small vessel more, for Dublin; the Satisfaction stays here to convoy the rest. We wonder exceedingly they come not away. The complaints from the north are so exceedingly great, that to-morrow, if the men will be commanded to it, the Convertine and Providence go to the westward. The Weymouth pink is now setting sail to be convoy of the ship Lady of London, laden with ammunition for Weymouth and Pendennis. A line or two from your lordships at this time might be of great encouragement to many among us. Of all other things this bearer will give your lordships a perfect account. I am, and shall be till death, Your &c. Tho. Rainsborough. Landguard-Fort May 24."

The lords ordered nothing to be done on this letter at present; but on the 29th, the earl of Warwick informed the house he had received Letters which were sent him from some officers in the navy, that they had displaced col. Rainsborough from being vice-admiral.

Cornelius Evans apprehended in Kent, for personating the Prince of Wales.] Besides these disorders in the Fleet, the parliament were again alarmed with a formidable Petition, signed by many thousands in the county of Kent, and coming up to be presented to both houses. It was agreed to send down a committee of lords and commons, natives of that county, to stop its progress; and, during this time a person, pretending to be the Prince of Wales, was apprehended, and sent up to the lords with the following Letter from the mayor of Gravesend to the Speaker of the house of lords:

"May it please your honour; The pretended Prince, lately landed at Sandwich, was seized on by the East-Kent gentlemen; and, together with this Examination taken by Mr. Mayor, of Rochester, sent us by them, with instructions to have him safely conveyed and delivered to your honours, that you may be informed in the premises; which, according to our duty, we humbly present to your mature consideration, and rest, your, &c. E. Bromling, mayor, John Stert, George Clark, Walter Hill. Gravesend, May 29."

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The EXAMINATION of Cornelius Evans,* born at Marseilles; taken before Philip Ward, esq. Mayor of Rochester, and George Newman, esq. Justice of the Peace, May 28, 1648.

"Who saith, That about 3 weeks since, he, this examinant, came from his lodgings in St. Catherine's, near the Tower of London, the house where he lodged being inhabited by Nicholas Evans, mariner; and passed through the county of Kent to Dover, hoping there to have got passage thence to Marseilles; but not meeting any shipping there bound for the Straits, and understanding that there were ships in the Downs bound thither, (after he had continued 3 days at Dover) went from thence to Deal, hoping there to get passage; and, in this examinant's journey thither, going by a castle, near the town of Deal, he took notice that a gentleman with a gentlewoman was walking in a garden near the said castle, whom this examinant, upon enquiry, understood to be colonel Rainsborough, governor of the said castle, and his wife; and this examinant came to Deal to the house of one Mr. Beaker, at the sign of the Crown; immediately after his coming thither there came 3 seamen into his company, who presently called for beer; and, desiring to drink with this examinant, pressed him to drink the king's health, which they all did; and, upon conference, one of the said seamen belonging to col. Rainsborough's ship, whom this examinant, upon speech with him, conceived to be the coxswain of the said ship, told him, that he thought he knew him to be the Prince; and that col. Rainsborough had sent him to this examinant, wishing him to say that he was the Prince; and telling him, that if he would so say, and take upon him to personate the prince, that the prince would well reward him for the same, and would come over in a short time; and thereupon prevailed with this examinant to assent thereunto; but after the said seamen were departed from him, he, thinking with himself that it might not be safe for him to stay and give out that he was the prince, resolved to shun the same, and thereupon went from Deal to Sandwich: and upon this examinant's coming along by the sea-side, before he came into the town he observed a ship's long-boat, with divers seamen therein, some having pistols, and others swords about them, rowing very hastily towards Sandwich, but before they were landed this examinant was got to the Bell tavern there; and so soon as the seamen were landed, they presently came up to the town of Sandwich, and declared about the town that the prince was there; and thereupon the seamen and inhabitants of the town came to the house where this examinant was; and the seamen affirming that he was the prince, declared privately that they came to take him (calling him the prince) into their custody, to carry him on board their ship; which they so did, as this examinant conceived, the better to beget a belief in the inhabitants of the town that he was the prince indeed: and about an hour after this examinant so came to the Bell tavern in Sandwich aforesaid, one capt. Foster, inhabiting in the said town, came to him; and, upon private conference, told him of the confident report about the town that he was the prince, desiring to know the truth thereof; and this examinant doth confess that thereupon he did affirm that he was the prince, whereat the said captain Foster stood bare to him, and carried himself very civilly to him; but this examinant then desired the said capt. Foster that he would not discover that he was the prince; and thereupon the said capt. Foster took order in the house that this examinant should be well accommodated, promising to come to him the next morning, and departed for that night; and, in the next morning, the said capt. Foster, with the mayor of the town and town-clerk there, came to this examinant, and told him, that it was reported about the town, and known, that he was the prince, and that it could not be concealed; and thereupon took an examination in writing from him: and this examinant still affirming himself to be the prince, thereupon the said captain Foster and the mayor of the town desired to know, whether he would go to one of their houses, or to the other; and this examinant making choice to go to the said capt. Foster's house, was carried thither accordingly: but before he went from the Bell tavern, and not above two hours before he first came thither, he was presented by a gentlewoman (whose name he knows not) with 100 pieces of gold and 3 bunches of asparagus.—And this examinant further saith, That after he came to the said captain Foster's, there came, at several times, two seamen to him, one after another, and told him that their master, colonel Rainsborough, remembered him to this examinant, and desired him to remember the message which colonel Rainsborough had sent to him whilst he was at Deal, and desired him to be resolute in affirming that he was the prince; that col. Rainsborough bid them tell him, that it would not be long ere the prince came over, and that he would well reward this examinant for the same.—And this examinant further saith, That after he came to the said capt. Foster's house, in the afternoon of that day, he was invited by the seamen, who the day before came with the said boat off Sandwich, to go with them in their boat, that they might shew him sport on the water with a dog which they had there; and this examinant went with them accordingly, who, whilst he was in the boat, were all bare, and carried themselves with all respect to him, as if he had been the prince indeed. And whilst this examinant was in the boat, he observed that it was said amongst the seamen, that if Black Tom were there, now would be the time to hinder the

* "His father was Welsh and his mother French; and those who knew him said he was a common cheat." Moderate Intelligencer, No. 167.

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Petition from going to the parliament. And this is all this examinant can say, save that the seamen who spake with him from col. Rainsborough, at Mr. Beaker's house at Deal, wished him to get a blue ribbon, and to wear the same across his breast. CORNELIUS EVANS."

Evans being then brought up to the bar of the house of lords, the Speaker asked him, How he durst take upon him the name of the Prince of Wales? He confessed his fault, desired pardon for it, and declared the particulars to be the same as he had already confessed before the mayor of Rochester: hereupon it was ordered, that the said Evans be committed to Newgate, there to remain during the further pleasure of the house, for taking upon himself to be the Prince of Wales; and that the captain of the guard do convey him safely to that prison.

The Earl of Warwick appointed Lord Admiral.] May 29. p. m. The conduct of the sea-officers, in putting out Rainsborough, made the parliament afraid of a thorough revolt, if they did not stop it. Those of them who wrote to the earl of Warwick about it, at the same time told him, That they had chosen him for their Admiral; which the houses thought fit, by a public Ordinance, to confirm: and also gave him power to give indemnity to the captains and mariners who had turned out the other.

Col. Hammond's Account of the King's intended Escape from Carisbrook-Castle.] June 1. A Letter from col. Hammond was read, addressed to the Speaker of the house of lords:

"My lord; On account of the great trust your lordships have been pleased to repose in me, I take the boldness to acquaint your lordships of a design, cunningly laid and carried on almost to perfection, for the king's Escape from this place, which was the last night, being the set time for putting it in execution, by the blessing and goodness of God prevented. It was thus: Through the corruption and naughtiness of two gentlemen attending on the king, Mr. Osborne and Mr. Dowcett, 3 soldiers were suborned and dealt with to assist in his escape, who were to be on duty at the king's window, at the time appointed; Mr. Dowcett was to be accommodated with cords to convey him down the Castle wall, and then the outline, after he had let himself through his window, to be prepared; centinels were to be his guide to his horses, which were ready provided and laid at a convenient place within musket-shot of the works; and Mr. Osborne and one Mr. Worsley of Gatcombe, a young gentleman of this Island, were to conduct him to a creek, where also, at the same time, lay ready a boat to transport them into the main land, into a place where, as is confessed by one whom I have apprehended, there were horses to convey the king whither he pleased.—This design hath been long in hand, but kept from me till yesterday, the day before the night it should have been acted, when two of the soldiers, who had been dealt with, came to me and acquainted me with the whole business; which I am confident, though I had had no knowledge of it, they would have found some difficulty in effecting; I suffered and advised them to carry it on, as if I had not known it, that so I might the better discover the whole business with the less pretence of excuse to those unworthy men who were to assist the King in this Escape; but being over curious in securing all places in a more exact manner than formerly, Mr. Dowcett, by happening on an unusual guard, who at the first apprehended them to be of his own party, but upon examination finding other answers than expected, made a discovery; which, so soon as I understood, I secured Dowcett and a soldier who was the chief instrument in this design; then I sent after Osborne and Worsley to apprehend them; but they, finding they were discovered, fled in great haste to the water side, where their boat lay ready to receive them, whither they were pursued; but they, as it seems, quitted their horses and turned them loose on the shore, and themselves escaped in the boat. I have since apprehended one John Newland of Newport, whose part it was in the design to act the business concerning the boat. This morning I find the window-bar of the king's bed-chamber, looking to the centinels, appointed to be cut in two in the middle by aqua fortis.—By this your lordships may not only see the dangers past, but also may expect that nothing will be unattempted that the art of man can find out to perfect the king's Escape; which makes me humbly bold to offer to your lordships, if you resolve it necessary to continue the king in this place, that you would please to consider some better way for his security; either by appointing, to this weighty charge, a committee of parliament, as formerly, or otherwise as shall seem best to your lordships. This I move not so much to free myself from burthen or hazard; truly, when I am commanded by you in your service, I know no such thing; but that affairs of so great concernment to your lordships and the kingdom may be better provided for, than by a man so unapt for such weight as myself. In this I beseech your lordships not to look back upon the hazards and difficulties it hath pleased God alone to carry me through in this your service; which if the recital of them to your lordships might not too justly seem my vanity, I should trouble your lordships with a relation that would speak them not few nor ordinary, and thence to pass a judgment for future; but to consider they are like to continue, and accordingly to provide as to your wisdoms shall seem best.—The next thing which I shall make my humble suit to your lordships, and which is so just as I am sure your lordships will not deny, is that you will please to order such provision for those gentlemen attending the king, who have and do still faithfully and honestly serve you here, and that with no small hazard, in some measure answerable to their merit and the trust in their hands; at least that they might not have cause to think

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themselves neglected, and so rendered more liable to temptation, which they cannot want. I have often written of this particular, and as yet nothing is done in it, which makes me now the more bold thus to press your lordships.—My lords, if your lordships shall see fit longer to continue this heavy weight wholly upon me, seeing I may not be admitted to wait on your lordships at this time, I humbly beg that you would please to send down some persons hither whom you may trust, that may bring back an account of the true state of this place, that so better security may be added to it in divers particulars, too long and troublesome now to relate; to signify unto me your lordships pleasure concerning the persons afore-mentioned now in custody for this matter. My lords, Your, &c. RO. HAMMOND. Carisbrook-Castle May 29."

To this Letter the lords directed their Speaker to send the following Answer:

"Sir; The lords have commanded me to give you thanks for your great care in the discharge of that trust committed to you; and to assure you they will be ready, upon all occasions, to express their respects for you, and will not omit to press for those supplies mentioned in your Letter. I rest, Your, &c. June 1."

June 2. The earl of Warwick being come back from the Fleet, delivered in to the lords divers Papers, containing, 'A Representation of the Proceedings of the Earl of Warwick, Lord High-Admiral, in order to the reducing of such Ships in the Downs as have revolted from the parliament's Obedience.' After reading all these Papers, the lords ordered, That they be communicated to the commons.

Lord Fairfax's Account of his Victory over the Army raised by the Kentish Gentlemen.] June 3. The following Account was read in the house of lords:

"My lord; It having pleased God to give us a Victory against those, who, without and against the authority of parliament, raised an Army, I held it my duty to give your lordships Account thereof in brief, time not permitting me at present to give the particulars at large: the engagement with them begun the last night about 7 of the clock, near Maidstone, and continued a very hot and fierce dispute until after 12, before we could be masters of the town: the enemy, by reason of the continued supplies which they received from their forces by the passage over Aylesford, were enabled to dispute every street and passage; the choicest of their forces, as we understand, were appointed for this service, and the lord Goring commanded them as general. There were about 200 of the enemy slain, many wounded; about 900 prisoners, 400 horse, 8 pieces of cannon, and great store of arms and ammunition, taken. Sir Wm. Brockman and others of the gentry are prisoners. As God hath been pleased in mercy to give you this Victory, so I desire that we may return all thankfulness unto him for it. I shall (as God shall enable me) improve this advantage, and remain, your, &c. FAIRFAX. Maidstone, June 2."

The Commons drop their Impeachments against the late Lord Mayor, the 3 Aldermen, the 7 Lords, and their own Members.] The commons, this day, resolved that they would proceed no further in their Impeachments against sir John Gayre, knt. late lord mayor of London, Thomas Adams, John Langham, and James Bunce, aldermen; nor against sir John Maynard; nor the earls of Lincoln, Suffolk, and Middlesex; the lords Willoughby of Parham, Berkeley, Hunsdon, and Maynard. They likewise resolved, That the Votes, whereby Denzil Hollis, esq. sir Wm. Waller, sir Wm. Lewis, col. Massey, sir John Clotworthy, Mr. Anthony Nichol, and Mr. Walter Long, stand accused by their house, be discharged. Some colonels, and other officers of the Trained Bands, were also released out of prison.

Lord Fairfax's further Account of his Success in suppressing the Commotions in Kent.] June 5. The lords received intelligence from the General, discovering the depth of the whole Kentish Plot:

"My lord; I shall, according to my last, give your lordships this further Account of our Success at Maidstone: Upon Thursday in the evening, about 7 o'clock, after very long marches, we got near the town, and a troop of dragoons was sent to make good a pass, whilst the town was viewing at what place our men might best enter: it being resolved upon to force our passage, in case of a resistance, the gaining of that town over the river being of great advantage to our affairs; but before there could be a view taken of the town, the dragoons had engaged the enemy, and forced them from that guard which they kept. The dragoons being very forward to engage, pursued, and so the enemy drew forth a considerable party of horse and foot to maintain a pass against us, which necessitated the drawing down of the greatest part of the foot, with some horse; and though that part of the town was of the greatest difficulty to enter, yet, through the great goodness of God, our men made their entrance, and became masters of the town after 4 or 5 hours hot service.—The town being very strongly barricaded, and through the darkness of the night and our ignorance of the town, they disputed the barricades and places of advantage with our men, playing hard with their cannon upon them; in which service both horse and foot did exceeding well, and particularly I cannot but take notice of the valour and resolution of col. Hewson; whose regiment had the hardest task, major Carter, his major, being hurt, and capt. Price, a deserving and faithful officer, slain. The best of their men were there, whereof many are cavaliers and London Apprentices, they looking upon the consequence of that place to be very great, and therefore did resolve to make what resistance they could. The old lord Goring was that day proclaimed General at the head of their Army, upon the hill near Aylesford, where we saw their body drawn up; which, as their prisoners since do confess, and they themselves gave out, con-

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sisted of 8000, besides those in Maidstone and Aylesford, in both which places there were about 3000. Those of Aylesford coming as a fresh supply to relieve those engaged in Maidstone, there were near 300 slain, and about 1300 prisoners, many of them being taken next morning in the woods, hop-yards, and fields, whither they escaped in the time of their flight; amongst whom were many gentlemen of good quality, sir Samuel Dudley, sir Wm Brockman, Mr. Scot, major Price, and others. There were about 500 horse, 3000 arms, 9 foot-colours, and 8 pieces of cannon, with store of ammunition, also taken.—After it had pleased God to give us this great mercy of gaining the town, their men received so great discouragement, that the greatest part of the army left them and were dispersed, and a great number of officers and gentlemen since fled to shift for themselves. Their word at the engagement was, 'King and Kent;' ours, 'Truth'. Having thus possessed ourselves of the passes at Maidstone and Aylesford, the enemy being much confused with our success, and their own men deserting them, they at last marched over Rochester bridge towards Blackheath with about 3000 horse and foot, most of which were cavaliers, apprentices, and watermen. Our men not being able to make so speedy a march after them as was necessary, I sent col. Whaley with a party of horse and dragoons after them, upon whose approach they have left Kent, and fled over the water into Essex, by Woolwich and Greenwich. Col. Whaley is in pursuit, and I doubt not but he will give a good account of that Service. I have sent col. Rich with a party of horse and foot to relieve Dover, wherein I trust we shall find the same presence of God as we hitherto have had. My prayer to the Lord is, that this great mercy may be further improved to his glory and this kingdom's good. I thought fit to present to your lordships these Papers inclosed, taken from the Enemy; whereby you will perceive the depth of their Plot, and their Engagement to pursue what they have undertaken. I remain Your, &c. FAIRFAX. Rochester, June 4."

An Act of Indemnity was passed for those who had taken up arms in Essex: also, a Declaration of both houses, That George lord Goring's taking up arms in Kent and Essex was levying war against the parliament and kingdom; that he was a Traitor, and ought to be proceeded against for the same, in the usual course and proceedings of parliament. Lord Capel likewise was ordered to be sent for up to answer to a Charge against him.

The impeached Peers restored to their Seats.] June 6. The commons sent up a Message to acquaint the lords, That they would proceed no farther upon the Impeachments against the seven Peers. Upon which the lords ordered, That the said Lords by name should be forthwith discharged from the restraint they laid under on account of the said Impeachments; and that the same, upon the aforesaid Declaration of the Commons, should be vacated in the Journal-Book. The same Order was made for discharging the late lord mayor, sir John Gayre, &c. but we do not find above one or two of the Articles of Impeachment vacated, notwithstanding this Order. Ordered, also, That the Lords impeached should have notice to attend the service of the house the next morning.

The new Propositions of Peace to be sent to the King.] This day the lords took into consideration the new Propositions from the commons to be sent to the king; and, after some debate, the following were agreed upon: 1. "Whereas both houses of the parliament of England have been necessitated to undertake a war in their just and lawful defence; and afterwards both kingdoms of England and Scotland, joined in Solemn League and Covenant, were engaged to prosecute the same: That, by act of parliament in each kingdom respectively, all Oaths, Declarations, and Proclamations, heretofore had, or hereafter to be had, against both or either of the houses of parliament of England, the parliament of the kingdom of Scotland, and the late convention of estates in Scotland, or committees flowing from the parliament or convention in Scotland, or their ordinances and proceedings, or against any for adhering unto them, or for doing or executing any office, place, or charge, by any authority derived from them; and all judgments, indictments, outlawries, attainders, and inquisitions, in any the said causes; and all grants thereupon made or had, or to be made or had, be declared null, suppressed and forbidden: and that this be publickly declared in all parish-churches within his majesty's dominions, and all other places needful. 2. Whereas both kingdoms are mutually obliged, by the same Covenant, to bring the Churches of God, in the three kingdoms, to the nearest conjunction and uniformity in doctrine, worship, discipline, and government, according to the Word of God, and the example of the best reformed Churches: That the Presbyterial government be confirmed by act of parliament, in such manner as both houses of parliament have agreed, in several Ordinances of parliament; that is to say, &c. for the term of 3 years, from the 6th of June 1648.—That it be established by act of parliament, That the lords and commons, in the parliament of England assembled, shall, during the space of 10 years from the 6th of June 1648, arm, train, and discipline, or cause to be armed, trained, and disciplined, all the forces of the kingdoms of England and Ireland, and dominion of Wales, the isles of Guernsey and Jersey, and the town of Berwick upon Tweed, already raised, both for sea and land service; and that from time to time, during the said space of 10 years, shall raise, levy, arm, train, and discipline, or cause to be raised, levied, armed, trained, and disciplined, any other forces for land and sea service, in the kingdoms, dominions, and places

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aforesaid, as in their judgments they shall, from time to time, during the said space of 10 years, think fit and appoint: and that neither the king, his heirs or successors, nor any other, but such as shall act by the authority or approbation of the said lords and commons, shall, during the said space of 10 years, exercise any of the powers aforesaid. And the like for the kingdom of Scotland, if the estates of the Parliament there shall think fit.—That Monies be raised and levied for the maintenance and use of the said forces, for land service, and of the navy and forces for sea service, in such sort, and by such ways and means, as the said lords and commons shall, from time to time, during the said space of 10 years, think fit and appoint, and not otherwise: and that all the said forces, both for land and sea service, so raised or levied, or to be raised or levied, and also the Admiralty and Navy, shall, from time to time, during the said space of 10 years be employed, managed, ordered and disposed, by the said lords and commons, in such sort, and by such ways and means, as they shall think fit, and not otherwise.—And the said lords and commons, during the said space of 10 years, shall have power, 1. To suppress all forces raised, or to be raised without authority and consent of the said lords and commons, to the disturbance of the public peace of the kingdoms of England and Ireland, and dominion of Wales, the isles of Guernsey and Jersey, and the town of Berwick upon Tweed, or any of them; 2. To suppress any foreign forces who shall invade, or endeavour to invade, the kingdoms of England and Ireland, dominion of Wales, the isles of Guernsey and Jersey, and the town of Berwick upon Tweed, or any of them; 3. To conjoin such forces of the kingdom of England with the forces of the kingdom of Scotland, as the said lords and commons shall, from time to time, during the said space of 10 years, judge fit and necessary, to resist all foreign invasions, and to suppress any forces raised, or to be raised, against or within either of the said kingdoms, to the disturbance of the public peace of the said kingdoms, or any of them, by any authority of the Great Seal, or other warrant whatsoever, without the consent of the said lords and commons of the parliament of England; and the parliament, or the estates of the parliament of Scotland, respectively: and that no forces of either kingdom shall go into, or continue in, the other kingdom, without the advice and desire of the said lords and commons of the parliament of England, and the parliament of the kingdom of Scotland, or such as shall be by them appointed for that purpose. —Provided that, during the said space of 10 years, nothing herein before contained shall extend to the taking away of the ordinary legal power of sheriffs, justices of peace, mayors, bailiffs, coroners, constables, head-boroughs, and other officers of justice, not being military officers, concerning the administration of justice: so as neither the said sheriffs, justices of the peace, mayors, bailiffs, coroners, constables, head-boroughs, and other officers, or any of them, do levy, conduct, employ, or command any forces whatsoever, by colour or pretence of any commission of array; or extraordinary command, from his majesty, his heirs or successors, without the consent of the said lords and commons.—And if any persons, during the said space of 10 years, shall be gathered and assembled together, in warlike manner, or otherwise, to the number of 50 persons, and shall not forthwith disband, or disperse themselves, being required thereunto by the said lords and commons, or command from them, or any by them especially authorized for that purpose, then such person and persons, not so disbanding, or dispersing themselves, shall be guilty, and incur the pains of high tresason; being first declared guilty of such offence by the said lords and commons; any commission under the great seal, or other warrant, to the contrary notwithstanding: and he or they that shall offend herein, to be incapable of any Pardon from his majesty, his heirs or successors; and their estates shall be disposed as the said lords and commons shall think fit, and not otherwise.—Provided that the city of London shall have and enjoy all their rights, liberties, and franchises, customs and usages, in the raising and employing the forces of that city, for the defence thereof, in as full and ample manner, to all intents and purposes, as they have, or might have, used or enjoyed the same, at any time, before the making of the said act or proposition.—And, after your majesty's assent given to the three Propositions now tendered to your majesty, and to such acts of parliament as shall be offered by both houses, for confirmation thereof; then both houses of parliament will treat with your majesty concerning the future settlement of the Government of the Church, the settlement of the Militia, and upon the rest of the Propositions formerly tendered to your majesty at Hampton-Court. And the houses of the parliament of England do desire, That such Propositions as shall be fit and necessary for the kingdom of Scotland, may be prepared to be sent to his majesty with all convenient speed."

A Letter from the Earl of Warwick touching the Mutiny in the Fleet.] June 8. The following Letter from the lord-admiral, was read in the house of lords:

"My lord; Since my coming hither I have used my best endeavours to settle, in a firmness to their duty, the ships found in these parts; which I have done as well as I am able, the several ships companies here having engaged themselves to live and die with me in defence of the parliament's cause. I have not heard any thing from the Downs by sea since my coming hither; but, by a letter received this day from London, I hear that the 6 revolted Ships, lately at the Downs, are gone northward, that some Kentish gentlemen are aboard them, who were engaged in the late Rebellion; and that some of the seamen give out they will speedily go

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for Holland; which I conceive is not improbable, as the gentlemen aboard may advise and make it their design to provoke them unto it, out of a despair of their non-indemnity, having opposed to the last.—My lord, I have as yet spoken but with four ships, of whose firmness to their trust I have much confidence, and so I have of some others which I shortly expect: yet, considering the uncertainty of affections, and those impressions of discontent which I find upon too many spirits, I humbly offer it unto the wisdom of the houses, whether it may not be a great advantage, to the more speedy and effectual reducing of the revolted Ships, to grant an indemnity to those gentlemen of Kent that are aboard, as they have been pleased to do to the seamen, so as they procure their ships to be delivered to me, or such as the parliament or myself shall appoint; which, in my own private opinion, may be of great use: and, if it shall be so thought fit by the houses, to whose pleasure I do wholly submit, I do make it my humble request accordingly. Your &c. WARWICK. Portsmouth, June 6."

The late impeached Members of the House of Commons restored to their Seats.] This day the commons reversed their Order of the 7th Sept. last, against John Glynne, esq. Recorder of London, on the Petition of the inhabitants of Westminster, for which place he served, and restored him to his seat in the house. The next day they revoked their Orders made in Sept. and Jan. last, disabling sir John Maynard, Lionel Copley, and Denzil Hollis, esqrs. sir Wm. Lewis, sir Wm. Waller, sir John Clotworthy, col. Massey, Walter Long and Anthony Nichol, esqrs. from being members.

Debate on that Occasion.] We meet with the following Minutes of a Debate in the house of commons on this remarkable occasion, drawn up by a member of this parliament.* His account of the affair now before us runs thus: "About the beginning of June, a Debate happened in the house of commons, about the four imprisoned Aldermen, occasioned by a Petition from the city of London; and concerning the impeached Lords and Commons.

Mr. *Gewen* spake modestly in their behalf, saying, That what they did was done by virtue of an Ordinance of parliament made this very session of parliament, and without any intent to raise a new war; but only to defend the city against the menaces of the Army marching up against them and the parliament. But

Mr. *Gurdon* answered, He thought they intended a new war, and were encouraged thereto by the gentleman that spake last; when he said to them at their common-council, 'Up and be doing.'

Mr. *Walker*, perceiving Mr. Gewen to be causelessly reflected on, replied, That since this debate on the City-Petition tended towards a closing up of all differences, it was unfit men that spake their consciences freely and modestly should be upbraided with repetitions tending to disunion; and desired men might not be permitted to vent their malice under colour of shewing their zeal: when, presently,

Mr. *Thomas Scot* replied upon Mr. Walker, That the gentleman that spake last was not so well affected, but that the close committee of examinations would find cause to take an order with him shortly.—Mr. Walker offered to answer him, and demanded the justice of the house, but could not be heard. Those that spake in behalf of the Aldermen were often affronted, and threatened with the displeasure of the Army; which, they alledged, would be apt to fall into distempers if we discharged them. Notwithstanding these menaces, it was voted, 'That the house would not prosecute their Impeachments against the said four Aldermen, sir John Maynard, and the seven Lords; and that they would proceed no farther upon their Order for impeaching Mr. Hollis, sir Wm. Waller, &c.'—Two or three days after, a motion was set on foot, That the Order whereby the said Members were disabled from being of the house might be revoked. Many zealots argued fiercely, and threatened against it. Amongst other arguments for them a precedent was insisted upon, that Mr. Henry Martin was by order, disabled from being a member, yet he was afterwards re-admitted upon his old election: and it was desired these gentlemen might find equal justice; for the house, having freed them *à culpâ*, could not, in equity, but free them *à pœnâ*, and put them in the remitter of all that belonged to them. But

Sir *Peter Wentworth* answered, That Mr. Martin's case and theirs differed; Mr. Martin was expelled for words spoken against the king, such as every man's conscience told him were true; but because he spake those words unseasonably, when the king was in good strength, and the words, whether true or false, were, in strictness of law, treason; the house, especially the luke-warm men, considering the doubtful events of war, disabled and committed him, lest the whole house might be drawn in compass of high treason for conniving at them; which was a prudential act, though contrary to justice, and contrary to the sense of the godly and honest party of the house: but afterwards, the king growing weaker and the parliament stronger, the house restored Mr. Martin, and thought fit to set every man's tongue at liberty to speak truth, even against the king himself: and now every day words of a higher nature are spoken against him, by the well-affected godly in the house.—After many threats used by Wentworth, Ven, Harvey, Scot, Gurdon, Weaver, &c, the said disabling Order was repealed."*

* The History of Independency, by Clement Walker, esq. published in 1648, under the name of Theodorus Verax. It is observable when this gentleman speaks of himself, it is always in the third person.

* Mr. Ludlow imputes this extraordinary turn of affairs to the many insurrections and

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The Commons Answer to the late Petition from Surrey.] June 10. An order was made that the knights of the shire for Surrey do take care to publish and give notice of the following Answer to the late Petition from that county, pressing for a Personal Treaty with the King:—"This house, being sensible of the former services of the county of Surrey, and their late peaceable demeanour in the said county, hath thought fit to give this Answer to the Petition received thence, That this house doth not doubt but the said county must needs take notice of their proceedings, in relation to the Settlement of the Peace of the kingdom, by a Treaty with the king for a safe and well-grounded Peace: and this house hath in consideration such further means, as are most conducible to that end, and to the easing of the burdens of the people; which, by God's blessing, they hope may give satisfaction to the petitioners and to the kingdom."

Insurrections in different Counties, and Petitions for an Agreement with the King.] Insurrections against the parliament still continued in several counties: but rising in small bodies, and in places at a wide distance from one another, they were soon subdued. Letters were this day read in the house of lords, from col. Waite, with an account of a Victory he had obtained against some forces raised in Huntingdon and Cambridge shires, under the command of col. Hudson, who was killed himself in the action, and all his men; no quarter being given to any but the superior officers.—Petitions also came up from different counties, all praying the parliament to agree with the King, in order to relieve them from their miserable and distracted condition; which quickened the house in their Propositions to be sent to his majesty for a Peace.

Debate upon an Information of a Design to murder the King.] June 17. The contempory historian last cited, gives us the following Account of a Debate relating to a Design of taking off the king by poison, which neither the Journals, Whitlocke, nor Rushworth, take the least notice of in the proceedings of this day; although they all of them make mention of many subsequent particulars concerning this extraordinary plot, which so much engaged the attention of both houses:—"About one of the clock in the afternoon, most of the members being gone to dinner, and very few presbyterians left, the Speaker of the house of commons stood up and told them, That he had received letters from Richard Osborne (he that projected to deliver the King out of the custody of col. Hammond at Carisbrooke-Castle) but that he conceived they tended only to the setting of us altogether by the ears; and propounded, Whether they should be read or no? some were against the reading of them, but the major part called to have them read; which was done accordingly. The Letter to the Speaker had a copy of another Letter inclosed in it, to the lord Wharton, which bore date June 1, 1648, to this purpose, giving his lordship to understand, 'That, upon private conference with captain 'Rolph, (a man very intimate with col. Hammond, and high in the esteem of the Army) 'the said captain Rolph told him (the said 'Osborne) That to his knowledge Hammond 'had received several Letters from the Army, 'advising him to remove the King out of the 'way by poison, or any other means, for it 'would much conduce to their affairs. But '(said Rolph,) Hammond hath a good allowance for keeping the king, and is therefore 'unwilling to lose so beneficial an employment: but if you will join with me, we will 'endeavour to convey away the King to some 'secret place, and we may then do what we 'will with him.' Osborne offers in his said Letter, 'That if he may come and go with 'safety, he would come and justify this relation upon oath.' He likewise wrote to the Speaker of the lords house about it.—Then was read Osborne's Letter to Mr. Lenthall, Speaker, dated the 10th of June 1648, containing the same narration; with an offer to appear and make it good upon oath, if he might come and go with safety and freedom. The clerk had no sooner done reading this Letter, but, with a slight neglect, and the laughter of some members, the business was passed over without debate, and Mr. Scawen stood up to propound a new business from the Army; when, presently, Mr. Walker, interrupting Mr. Scawen, desired to speak a word to the late business, and asked Mr. Speaker, From whence that Letter came, and who brought it? The Speaker called upon the serjeant at mace, who answered, The Letter was given him at the door by a man that he knew not; that he had many letters and papers thrust upon him, of which he could give no account; but he would endeavour to find out the messenger: then Mr. Walker urged, That such an information coming to the house, ought not to be neglected, whether true or false, but to be examined and sifted to the bottom. If the king should die a natural death, or any mischance befal him, the people, (calling to mind how little care we had taken of his safety) would never be satisfied with our protestation; and moved, That a committee might be named to examine Osborne, Rolph, Hammond, and such others whose names should occur in the examination. This was seconded by sir Symonds D'Ewes, Mr. Henry Hungerford, Mr. Edward Stevens, and some others, who pressed it farther; but received a slight answer, That those that desired to examine the business knew not where to find Osborne; that Osborne was a Malig-

commotions now on foot; "when the Presbyterian party prevailed in the house by reason of the absence of divers members who belonged to the Army, and were employed in all parts of the nation." Memoirs, vol. i. p. 251.

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nant, and had attempted to set the King at liberty. To which Mr. Walker replied, That the other day we had named a committee to examine the business concerning the foot-boy that struck sir Henry Mildmay; and yet we neither knew then where to find the foot-boy or what his name was.* If we do but publish that Osborne shall, with freedom and safety, come and go, in case he appear to make good his charge; either he will appear, or we shall declare him an impostor, and punish him when we take him, and clear the reputations of those upon whom this letter seems to reflect. Consider how vast a difference there is between beating a subject and killing a king. And if Osborne whom I know not, be a Malignant; yet, unless you can prove him a nullifidian, or a person convict of perjury, both according to the rules of Christian charity, and in the charitable intendment of our laws, his oath is valid and good. Then Mr. Thomas Scott stood up and said, That this pressing for a committee to examine this business, was but a device to draw col. Hammond and Rolph up to the town to be examined, that the king might the easier make an escape. And sir John Evelin, of Wilts, alledged, That he conceived this to be an invention of Osborne's to bring the king to town with honour, freedom, and safety. Then Mr. Walker stood up again, but was interrupted by Mr. Hill, and not suffered to speak, having already spoken twice.—At the end of almost every motion made for a committee to examine the business, either Mr. Scawen or major-general Skippon stood up, and offered to divert the business by new matter concerning the Army, which usually beareth all other businesses down before it. At last those few that moved for an examination of this information, having spoken as oft as the orders of the house do permit, were forced to be silent; so the business was buried in silence. —I hear that some of the lords called upon this business the Monday following, being the 19th of June; and that the lord Wharton being asked, Why he did not impart Osborne's said Letter to the house? answered, That, as soon as he opened the said letter he received from Osborne, and saw his name at the bottom, he looked upon the business as not considerable; yet he sent the letter to Hammond.—Upon Tuesday, the 20th of June, the lords sent a Message to the commons; the first Paper whereof concerned Osborne's said letters; they desired, That 40 days might be assigned for Osborne to come and go with safety, to make good his information. But sir W. Armyne stood up, and desired, That the minutes of two letters, prepared to be sent into Holland and Zealand, concerning the revolted ships, might be first dispatched, as being of present use. And when the business was ended, Mr. Pierpoint propounded another part of the said message: so Osborne's information was left sine die, for that time: but, since, the lords have quickened it, and 40 days are given to Osborne to come and go with freedom and safety to make good his information, who is come and avoucheth it; and one Dowcet speaketh much in affirmation of a design of Rolph's to pistol the King. Rolph presents himself at the commons bar, with a Letter from Hammond, which denies the design, and pleads Rolph's cause for him. Rolph denied it before the commons with a trembling voice, yet afterwards hid out of the way; but being discovered, upon search, he was found to have a boil upon him that disabled him from riding, otherwise, it is thought, he would have fled far enough."

Account of the above Design, as given by the Contemporary Historians.] A Review of what is set down upon this remarkable affair by the other Contemporary Writers will be no improper digression; but tend greatly to illustrate our extracts from the Journals relating thereto, which follow under their proper dates. —And first lord Clarendon, who gives a very particular narrative of the whole Transaction, with the circumstances that occasioned the King to endeavour his escape, and what passed between major Rolph and Mr. Osborne previous thereto:* "Before the Treaty," says his lordship, "and after the Votes and Declarations of no more Addresses, when the king's treatment was so barbarous, his majesty had proposed to himself to make an escape, and was very near the perfecting it. He had none about him but such persons who were placed by those who wished worst to his safety; and therefore chose such instruments as they thought to be of their own principles. Amongst those there was a young man, one Osborne, by extraction a gentleman, who was recommended by the lord Wharton (one who deserved not to be suspected by Cromwell himself) to col. Hammond, to be placed in some near attendance about the king; and he, from the recommendation, never doubting the fitness of the man, immediately appointed him to wait as gentleman-usher; which gave him opportunity to be almost always in the presence of the king. This young man, after some months attendance, was wrought upon by the dignity of the king's carriage, and the great affability he used towards those who were always about him, to have a tenderness and loyal sense of his sufferings; and did really desire to do him any service that might be acceptable. By his office of gentleman-usher he usually held the king's gloves when he was at meat, and first took that opportunity to put a little billet, in which he expressed his devotion, into one of the fingers of his glove. The King was not forward to be credulous of the professions of a person he knew so little, and who, he knew,

* "A servant of the duke of Richmond's, who very handsomely caned sir Henry Mildmay in the open street, of which affront he complained to the house." Mercurius Pragmaticus, No. 13.

* History, vol. v. p. 231, et seq.

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would not be suffered to be about him, if he were thought to have those inclinations: however, after longer observation, and sometimes speaking to him whilst he was walking amongst others, in the garden allowed for that purpose, his majesty begun to believe that there was sincerity in him; and so frequently put some memorial into the fingers of his glove, and, by the same expedient, received advertisement from him.—There was in the garrison one Rolph, a captain of a foot company, whom Cromwell placed there as a prime confident, a fellow of a low extraction, and very ordinary parts; who, from a common soldier, had been trusted in all the intrigues of the Army, and was one of the Agitators, inspired by Cromwell to put any thing into the soldiers minds, upon whom he had a wonderful influence, and could not contain himself from speaking maliciously and wickedly against the king, when dissimulation was at the highest amongst the great officers. This man grew into great familiarity with Osborne, and knowing from what person he came recommended to that trust, could not doubt but that he was well inclined to any thing that might advance him; and so, according to his custom of reviling the king, he wished he were out of the world; for they should never make any settlement whilst he was alive. He said, he was sure the Army wished him dead, and that Hammond had received many letters from the army to take him away by poison, or any other way; but he saw it would never be done in that place; and therefore, if he would join with him, they would get him from thence, and then the work would easily be done. Osborne asked him, How it could be possible to remove him from thence, without Hammond's, or the king's own consent? Rolph answered, That the king might be decoyed from thence, as he was from Hampton-Court, by some letters from his friends, of some danger that threatened him, upon which he would be willing to make an escape, and then he might easily be dispatched. Osborne shortly found an opportunity to inform the king of all this.—The king bid him continue his familiarity with Rolph, and to promise to join with him in contriving how his majesty should make an escape; and he hoped thereby to make Rolph's villainy the means of getting away. He recommended one of the common soldiers to Osborne, who, he said, he thought might be trusted; and wished him to trust one Dowcet, whom the king had known before, and who was then placed to wait upon him at his back stairs, and was indeed an honest man; for it was impossible for him to make an escape, without the privity of such persons who might provide for him, when he was got out of the castle, as well as help him from thence. Osborne told Rolph, he was confident he should in the end persuade the king to attempt an escape, though he yet seemed jealous and apprehensive of being discovered, and taken again. Dowcet concurred very willingly in it, and the soldier who was chosen by the king proved likewise very honest, and wrought upon one or two of his companions, who used to stand sentinels at the place where the king intended to get out. All things were provided, and the king had a file and saw, with which he had, with wonderful trouble, sawed an iron bar in the window, by which he could be able to get out; and, being in this readiness, the night was appointed, and Osborne at the place where he was to receive the king. But one of the soldiers informed Rolph of more particulars than Osborne had done, by which he concluded that he was false, and directed the soldier to proceed, and stand sentinel in the same place to which he had been assigned; and he, and some others trusted by him, were armed, and stood very near with their pistols. At midnight the king came to the window, resolving to go out; but as he was putting himself out, he discerned more persons to stand thereabout than used to do, and thereupon suspected that there was some discovery made, and so shut the window, and retired to his bed. And this was all the ground of a discourse, which then flew abroad, as if the king had got half out at the window, and could neither draw his body after, nor get his head back, and so was compelled to call out for help; which was a mere fiction.—Rolph acquainted Hammond with what the king had designed; who presently went into his chamber, and found the king in his bed, but the bar of the window cut in two, and taken out; by which he concluded his information to be true; and presently seized upon Dowcet, but could not apprehend Osborne; who was either fled out of the island, or concealed in it that he could not be found. Rolph could not forbear to insult upon Dowcet in prison, and scornfully asked him, Why his king came not forth when he was at the window? And said, He was ready with a good pistol charged to have received him. When Osborne had got into a place of present safety, he writ a letter to his patron the lord Wharton, informing him of the whole matter; and desired him to acquaint the house of peers of the design upon the king's life, and that he would be ready to appear and justify the conspiracy. That lord, after he had kept the letter some time, sent it to Hammond, as the fittest person to examine the truth of the relation. Osborne was not discouraged with all this; but sent two letters to the Speakers of both houses, and inclosed the letter he had formerly writ to the lord Wharton. In the house of commons the information was slighted and laid aside; but it made more impression upon the house of peers, who sent, with more than ordinary earnestness to the commons, That Rolph might be sent for, and a safeguard for 40 days to Osborne, to appear and prosecute.—Rolph brought with him a large testimonial from Hammond of his integrity, and of the many good services he had done to the state. Osborne appeared likewise at the lords bar, and made good, upon oath, all that is before set down, and

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undertook to produce other evidence. The house of commons had no mind to have it examined farther: but the clamour of the people was so great, that, after many delays, they voted, That it should be tried at the general assizes at Winchester. And thither they sent their well-tried serjeant Wyld, to be the sole judge of that circuit; before whom the major part of the same jury that had found capt. Burley guilty, was impannelled for the trial of Rolph. Osborne and Dowcet, who, upon bail, had liberty to be there, appeared to make good the indictment; and upon their oaths, declared all that Rolph had said to them, as is set down before. The prisoner, if he may be called a prisoner who was under no restraint, had two lawyers assigned to be of counsel with him, contrary to the law and custom in those cases; but he needed not to have had any counsel but the judge himself, who told the jury, That it was a business of great importance that was before them, and therefore that they should take heed what they did in it: that there was a time, indeed, when intentions and words were treason, but God forbid it should be so now: how did any body know but that those two men, Osborne and Dowcet, would have made away with the king, and that Rolph charged his pistol to preserve him? or perhaps they would have carried him away to have engaged them in a second war? he told them, They were mistaken who did believe the king in prison; the parliament did only keep him safe to save the shedding of more blood. Upon these good directions the grand jury found an Ignoramus upon the Bill."

Sir Philip Warwick writes*, "That Dowcet, whom Rolph had tampered with to poison the king, was clerk of his majesty's Kitchen; and imputes the major's acquittal at Winchester to the dexterity of serjeant Maynard his counsel, who declared in the court unto the grand jurymen, that this accusation, amounting to treason, ought to have had two witnesses to each fact, but there was only one to each fact."—Mr. Ludlow gives this last circumstance a quite different turn, saying†, "That those who were to have been instrumental in the King's Escape, not knowing otherwise how to revenge themselves on those who had defeated their enterprize, accused major Rolph (a captain in that garrison, very active and vigilant in his charge) of a design to kill the king; raising such a clamour about it, that the parliament thought not fit to decline the putting him upon his trial; but the accusation appearing to the grand jury to be grounded upon malice, they refused to find the bill."—Thus much for the Contemporary Writers: return we now to our Journals, which will best enable the reader to form a proper judgment of the Accounts given by those historians.

Two Letters from Mr. Osborne, relating thereto.] June 19. Colonel Hammond was written to, by the Speaker of the house of lords, to take care of the King, for that their lordships were informed of some evil designs against him. What these designs were, appears by the following Letters from Mr. Osborne, read this day: and first, that directed to the earl of Manchester, their Speaker:

"Right Honourable; I did, by a Letter of the first of June, acquaint my lord Wharton with what I send here inclosed, expecting it would before this have been communicated to both houses. What should be the reason for concealing a business of this nature, I know not, except it be to give those time that are concerned in it better to think of some stratagem to evade this discovery. I humbly desire your lordship, upon sight of this relation, to communicate it to the house of peers; which I shall be ready to attest upon oath in every particular, whenever their lordships shall please to allow me that freedom and security which ought to be afforded to any gentleman and Christian in witnessing a truth. My Lord, Your, &c. Rich. Osborne, June 16."

The Letter to the lord Wharton, a copy of which was inclosed in the foregoing, ran thus:

"My lord; Though I cannot but imagine I stand so highly condemned in your lordship's and many persons thoughts, that any thing of vindication from me must come with all the disadvantage and prejudice that may be; yet, my lord, being conscious of my own integrity, and confident that I shall be judged by your lordship by no other rules but those of justice and reason, I cannot doubt but, when I have discovered the grounds and reasons of my actions, that it will appear to your lordship that what I have done hath been as agreeable to the several duties I stand engaged in, as I am supposed to have acted contrary before I am heard. Not to detain your lordship in circumstances, I shall make this protestation. That as no other thing but the danger of the king's life could, in reason, excuse such an attempt, so I do protest, that no inferior consideration did, or could have moved me to such an action: but, my lord, having had such a particular and well-grounded information, that so horrid a design was intended, and moved from those that could, when they pleased, have had the power to put it in execution, I hope I shall not be censured for having postponed all other considerations to that loyalty which, it cannot be questioned, I owe to the king.—But not to leave your lordship unsatisfied with this general account: the intelligence I speak of, concerning this design, I received from capt. Rolph, a person very intimate with the governor, privy to all councils, and one that is very high in the esteem of the Army; he, my lord, informed me, that, to his knowledge, the governor had received several letters from the Army, intimating they desired the king might, by any means, be removed out of the way, either by poison or otherwise: and, at another time, the same person persuaded me to join with him in a design to remove the king out of

* Memoirs of King Charles I. p. 381.
† Memoirs, Vol. i. p. 254.

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the castle to a place of more secrecy; proffering to take an oath with me, and to do it without the governor's privity; who, he said, would not consent, because of losing the allowance of the house. His pretence for this attempt was, That the king was in too public a place, from whence he might be rescued; but if he were conveyed into some place of secrecy, he said we might dispose of his person upon all occasions as we thought fit; and this he was confident we could effect without the governor's privity.—My lord, considering all these pregnant circumstances, I think it will appear that there were, if there are not, such intentions concerning his majesty's person, as may well justify any endeavours that have been made for his remove from so much danger. And for my own part, my lord, I must be so plain as to declare, concerning my own acting in relation to this business, that had I done less, having such grounds, I must believe I had then verified all those aspersions of disloyalty and breach of trust, which I am contented to suffer from those whose interest is, perchance, opposed by my endeavours to prevent such damnable designs.—My lord, I have spoke nothing here but what I shall be ready to justify upon oath whenever I shall be called to it, with promise of freedom and security; till then I must be contented to support all censures, and satisfy myself with the vindication I receive from my own conscience. I am, my lord, Your, &c. Rich: Osborne. June 1."

The Fleet still continuing in their revolt against the parliament, both houses thought necessary to pass a Vote, That another Fleet should be fitted out, of as large a number of ships as was necessary to reduce the others to obedience. And, to prevent any insurrections at home, the parliament set forth a Declaration, in which were recited the three Votes, passed May 20, 1642, declaring all those Traitors by the fundamental laws of the kingdom, that aided and assisted the king against the parliament; and applying them to those who rose in arms at this time.

Col. Hammond's Complaint against the foregoing Letters from Mr. Osborne.] June 23. The following Letter from colonel Hammond, giving an Account of an intention to aid the King in an Escape from his custody, was read in the house of lords:

"My lord; Having lately received knowledge of the unparalleled wicked practices of Mr. Osborne, from the right hon. the lord Wharton, by a Letter which his lordship sent me, directed to him, from the said Mr. Osborne, who hath been the chief instrument in contriving and acting, as far as in him lay, the late design of the king's intended Escape; wherein it appears that, failing in that his treacherous purpose, and meeting with new counsellors, he proceeds in a more abominable way, by shameful and unheard-of lies, as much as in him lieth, to abuse and inflame the disturbed minds of the people in these distracted times; and most unworthily to scandalize me, and the rest of the gentlemen now attending the King, in those things wherein his own heart is a witness that they are of all others most contrary to truth: and being since further informed, that, in prosecution of this his audacious villainy, he hath written public Letters to both houses of parliament, asserting such horrid falsities that are hardly fit to be named, but by such a wretch, whose principles being falseness and treachery, knows no limits in wickedness:—My lords, my sense of the ill that, in such times as these, may accrue to the kingdom by such abuses, causes me to send up this bearer, major Rolph, (though through weakness he be very unable to travel) whom he avouches for his author; that if your lordships please he may be examined, who will sufficiently inform your lordships of the great untruths raised by that unworthy person; whom, if you let pass, (as not worthy taking notice of to bring to shame, like those who spread abroad the late false report of my inhuman abusing the person of the King,) it were indifferent to me, were not the public more than myself concerned in it; but the wisdom of your lordships doth, and I doubt not will, more thereby discern the design driven at in such reports; and will take care for a right understanding of those who have been, and yet may be, deceived by such abuses. For my own particular, had I not been thus occasioned by my duty to your lordships and the kingdom, I should have left the clearing of my integrity (as formerly, so still) to the righteous God; who, if with patience men can wait and trust in him, will certainly confound and destroy that structure, whose foundation is laid in lies, with shame and sorrow to its wicked builder.—My lords, I have not only, to support and bear me up against these calumnies, the testimony of a good conscience; but, to clear me amongst men, it pleased God to order it, that, upon several occasions given, and that before many witnesses, the King is so just as to vindicate me from all those aspersions; and so I doubt not will all others that have any sense of honour or truth, or such who have been witnesses to my actions and deportment since his majesty's unexpected coming to this place.—My lords, I conclude with this profession to your lordships, as in the presence of God, the Searcher of all Hearts, That as all the goods of this world could not have hired me to this employment, could I have avoided it, or would your lordships have seen it fit otherwise better to have provided for it; so, seeing Providence hath cast me upon it, or rather it upon me, I have, (and by the assistance of God will so continue) to the utmost of my power and knowledge, demeaned myself with all dutiful respect to his majesty's person, with an equal eye to the duty I owe your lordships and the kingdom, in the great trust your lordships have been pleased to place upon me; and this with that integrity and evenness, that I stand ready to give an account to God and all men of my actions herein. This satisfaction I need not give to your lordships, for I

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find, upon all occasions, the constant testimony of your favour to me; yet being a little sensible of the wickedness of this most ungrateful and unworthy person, makes me thus to trouble your lordships, though I need not: reason itself will plead sufficiently against him, who having attempted and failed in such a design, being so principled as such a man must be, that, for his own interest, he should proceed thus to colour his villainy, as by his late addresses to both houses.—My lords, I shall not further trouble your lordships but with a most earnest expectation, looking for a deliverance from my intolerable burthen, which God and a good conscience only support a weak man to undergo; either by a removal of his majesty's person from hence, when to your lordship's wisdom it shall seem safe and fit, or by a better providing for it by a person, or persons, more able to undergo it; either of which that may best suit your lordships affairs is most heartily desired, and that with speed, if God see it good; till when, in the strength of that God who hath carried me on hitherto, and as he shall enable me, being sufficiently guarded against the worst that malice can throw on me, in all constant integrity, I shall endeavour to express myself, Your, &c. ROB. HAMMOND. —P. S. Mr. Osborne's Letter to my lord Wharton, which his lordship sent me, I have inclosed in a letter to the committee at Derby-House. Since I ended this letter I have examined the three soldiers that were dealt with to have been assistant in the King's Escape; but they all affirm, and are ready to make good upon oath, that neither Osborne, Dowcet, or any other, told them that the King's life was in danger; so that it seems clear that this is a device of his own to inflame the people. Carisbrooke Castle, June 21."

Major Rolph examined before the Commons, touching the Design against the King's Life.] The same day, the house of commons being informed that major Rolph was at the door, he was called in; and the Speaker, (having acquainted him, That what he was to speak, was to be spoken in an high court of justice; and therefore requiring and exhorting him to speak the truth, as he would answer the same at the dreadful day of judgment) by command of the house, examined him strictly what he knew concerning the design of taking away the King's Life, wherewith he was charged by the Letter of Richard Osborne? He answered, That he never knew of any such Design, either by discourse or letter; or ever received any intimation from the governor of the Isle of Wight, or from any other person, by writing or otherwise, touching the same: Hereupon the house sent a message to the lords, acquainting them, That major Rolph being come to town they desired their lordships to nominate a committee of their house to examine him forthwith, upon oath, in the presence of a committee of the commons; and also to take the Examinations of all other persons that will come in to testify their knowledge touching the allegations of Osborne, in his Letters to the Speaker and to the lord Wharton. It was also ordered, That the said Osborne have 40 days to come, and depart, with safety to his person, to make good his allegations mentioned in these Letters; that the same be forthwith printed and published; and also posted up at Westminster, Paul's, and both the Exchanges.

A Committee appointed to consider of a Peace with the King.] June 26. The lords resolved to appoint a Committee to consider what the parliament had done towards the settling of a Peace, and what the King had offered; also, what was fit to be further offered to the king for his satisfaction, and for settling of a speedy and well-grounded Peace; and, likewise, That the said Committee should consider of the time, place, and other circumstances, where Addresses were to be conveniently made to the King.

Mr. Osborne avows his Charge against Major Rolph: who makes his Escape.] June 28. Richard Osborne, the person complained of in col. Hammond's last Letter to the lords, was brought to the bar; when the Speaker told him, That that house had received a Letter from him of a very high nature, whereupon he had a protection to come in. He said, He was come to make good what he had written; but much did depend upon Dowcet's deposition to clear things. Then the lords commanded that the Letter he had written to the earl of Manchester, and also the copy of his Letter to the lord Wharton inclosed, should be shewed unto him, which was done: and it being demanded of the said Osborne, Whether he would avow the Letters, and justify the matter thereof, he answered, Yes; whereupon the house commanded that the said Letters should be read in his presence; which was accordingly done. The said Mr. Osborne being asked, What witnesses he would desire to have examined concerning this business, he said, Mr. Dowcett and one Mr. Worsley; and then he withdrew.—Being called in again and sworn, he was asked, Whether major Rolph did acquaint him with a design of poisoning the King? This he avowed upon his oath.—Hereupon the lords ordered that major Rolph, being accused of High Treason before that house, shall stand committed to the Gatehouse, Westminster, there to be kept in safe custody until their pleasure be further signified. A warrant was issued accordingly, and Mr. serjeant Finch was ordered to prepare a Charge against the said major, and present the same to the house, after advice had with the judges: Mr. Osborne was bound in a recognizance of 5000*l.* to make good his Charge against him, and ordered to attend the house of lords the next Thursday, and so de die in diem, for that purpose. Mr. Worsley and Mr. Dowcet were also ordered to give their attendance as witnesses.—But the major, in the mean time, thought fit to make his escape: for,

June 29. Michael Baker, one of the mes-

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sengers belonging to the gentleman-usher attending the house of lords, gave Account that he had searched all places about the town for major Rolph, but could not find him: hereupon their lordships ordered a Letter to be written to col. Hammond, governor of the Isle of Wight, requiring him to make search there for the major; and, upon discovery of him, to send him up in safety to the house; and that a proclamation be issued out to summon him to come by a certain day.

Petition for a Personal Treaty.] This day a Petition was presented to the lords from the master, wardens, and fellowship of the Trinity-house, for a Personal Treaty with the King. Another was also presented from the Watermen upon the Thames, to the same end. These Petitions, with those sent up from several counties, all calling for a Personal Treaty, evidently shew that the greater part of the nation was strongly attached to monarchy. That the house of lords were in earnest to bring about a reconciliation with the king appears by the proceedings of the next day.

The Votes of Jan. 3, 1647, *forbidding all Addresses to the King, vacated.*] June 30. The earl of Northumberland reported from the committee last appointed to consider of what had been, and what might be offered to the King, &c. "That they had resolved the best way for opening a Treaty with his majesty, was, That the Votes of Jan. 3, 1647, forbidding all Addresses to be made to or from the King, be taken off: and that the three Propositions sent into Scotland, to be granted by the king before a Personal Treaty be begun, be not insisted on."—The lords agreed to these Votes, and ordered them to be sent down to the commons for their concurrence: to the first of them that house agreed without a division, but took time to consider of the second.

Siege of Colchester.] July 1. The Siege of Colchester had now been carried on for some months, without much notice being taken of it in the Journals. This town had been seized on by the Kentish royalists under the command of the earl of Norwich, lord Capel, and sir Charles Lucas. Mr. Rushworth * has preserved a very particular Diary of this Siege, to which we refer: observing only, That the few brave men who composed the garrison, held out against the force of lord Fairfax's veteran army, to the last extremity; and were reduced to such distress, that butter was sold at 5*s.* a pound, and even horse-flesh at 10*d.*

Major Rolph's Letter to the House of Lords, avowing his Innocency.] This day the following Letter was sent to the house of lords from major Rolph.

My lords; "Being informed that this honourable house hath passed an Order for my commitment, and knowing myself (I speak in the presence of God who searcheth all hearts) to be so perfectly clear and innocent of that foul and horrid crime charged upon me, that I abhor the very thoughts both of that and also of concealing myself from your lordships; and therefore earnestly desire an opportunity of appearing for vindication of my innocency in this matter, or whatever else malice in wicked men can lay against me; resting fully assured, that whatsoever award I may find at the hands of men, I shall enjoy the happiness of an upright and peaceable conscience with the same God. I should still have attended your lordships pleasure, had not that distemper of body, which was before upon me, by its growth necessitated me to apply myself unto the use of means; whereby I am at present so disabled that, without apparent danger, I cannot now wait upon your lordships; the truth whereof these bearers, my surgeons, can testify. Thus craving your lordships favourable construction of my present condition, with acceptance of these lines, I rest Your, &c. E. Rolph."

The lords shewed little regard to this Letter, for they ordered the major to be removed from his own lodging to the Gatehouse: he was accordingly conveyed thither in a horse-litter, under a guard of the Trained Bands.

Mr. Dowcet's Declaration relative to the Design of Killing the King.] July 3. Mr. Dowcet, one of the persons mentioned before to have been acquainted with the design upon the King's life, was brought to the bar of the house of lords: and being asked by the Speaker, What he knew of that affair, he delivered in a Paper, signed with his own hand, which was read as follows: "I am ready to make oath, That Mr. Rd. Osborne told me, the King's Person was in great danger; and that Rolph had a design on foot for conveying the king's person to some place of secresy, where he might dispose of his person as he thought fit. Which information from Mr. Osborne, and the assurance I had of his majesty's intentions forthwith to come to his parliament, was the cause of my engaging in this affair.—I am ready likewise to depose, that the said Rolph came to me when I was a prisoner in the castle; and, in a jeering manner, asked me, Why the king came not down according to his appointment? And then, with great indignation and fury, said, He waited almost 3 hours, under the new plat-form, with a good pistol ready charged, to have received him if he had come. A. Dowcett."

Hereupon the lords ordered, That Mr. Serjeant Finch should make use of this Paper in drawing up a Charge against major Rolph; and that he be kept close prisoner in the Gatehouse until the pleasure of their house be further known.

Debate in the Commons upon a Motion for a Personal Treaty with the King.] This day there was a warm debate in the commons, upon a motion for a Personal Treaty with the King. *

Mr. *Thomas Scott* said, He was of opinion

* Collections, vol. vii. p. 1154, et seq.

* Walker's History of Independency, p. 112.

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that there could be no time seasonable for such a treaty, or for a peace with so perfidious and implacable a prince; but it would always be too soon, or too late. He that draws his sword upon the king, must throw his scabbard into the fire; and that all peace with him would prove the spoil of the godly.—To which it was answered, That some men got well by fishing in troubled waters; and accounted peace their spoil, because war was their gain; and these looked upon a Personal Treaty as a design against themselves, (under the notion of the godly, honest, confiding party) because it was the high way to peace. But that the generality of the people, who had been despoiled of their estates by the war, were resolved to be no longer made fuel to that fire wherein those salamanders live; nor any longer feed those horse-leeches the Army, their engaged party and servants, with their own blood and marrow; and therefore were determined upon a Personal Treaty with the king, as the only means of settling the Peace of the kingdom.—The next point was, the place where such a Treaty should be held. For this purpose the isle of Wight and the king's house at Holdenby were proposed, or any other of his majesty's houses not nearer than ten miles off London, or the city of London itself. The Independents were for the two first, but principally affected the isle of Wight. The Presbyterian adhered to the two latter, but insisted chiefly for London. In favour of the city it was argued, That the common council and officers of the soldiery would undertake for the king's safety against all tumults: in any other place he would be within power of the Army, who might probably take him away again (as they did at Holdenby) if they liked not the manner and matter of the treaty. London was a place of most honour, safety, and freedom; and would best satisfy the king, the Scots, and the people: in all other places, especially the isle of Wight, he would be still a prisoner to the Army; and therefore all he should agree to would be void by reason of that duress. To this

Serjeant *Wyld* answered, 'That *custodia* did not always, in law, signify imprisonment: Though the king was under restraint of the Army, he was not in prison (making a difference between restraint and legal imprisonment); that the king cannot plead duress; no man can imprison or hurt the king in his political capacity, as king; though in his natural capacity, as a man, he is as passive as other men.—To this it was replied, That it had been frequently said in the house, the king was a prisoner; and there was no difference, in law, between a restraint and an imprisonment, whether legal or illegal. A tortious restraint is called, in law, a false imprisonment. That former kings have voided their own acts, by pleading restraint or imprisonment, and constraint, as Henry 3, Richard 2. That the king may as well plead imprisonment as the parliament plead a force, which they have lately done. That the king's restraint, in law, is *arcta custodia*; and they wished it might be *salva custodia*, though but lately they had information to the contrary. The distinction between the king's natural and political capacity was treason in the Spencers; (and so declared by two acts of parliament Ed. 2. and Ed. 3.) and my lord Coke, in Calvin's case, affirmed, they are inseparable by law.' In Answer to this

Mr. *Scott* said, That the city was as obnoxious to the king's anger as any part of the kingdom; and if the Treaty should be in London, who could secure the parliament that the city would not make their peace with the enraged king, by delivering up their heads to him for a sacrifice, as the men of Samaria did the heads of the 70 sons of Ahab?—It was also further moved, That if the king came not to London, but to one of his houses about ten miles from thence, he might be desired to give his royal word to reside there until the conclusion of the Treaty.

Colonel *Harvey* slighted this motion, vilifying the king's royal word, and saying, There was no trust in princes: to this purpose he alledged, That the King's promise had been frequently broken; as when he protested that the safety and privileges of parliament should be as precious to him as the safety of his wife and children; and yet, within 3 or 4 days after, came with armed guards to force the house, in the case of the five Members. This argument was farther urged by sir Henry Vane, junr. and sir Henry Mildmay *, who attempted to instance many particulars to prove that the king was a perjured man, and therefore ought in no case to be trusted: whereupon

Sir *Symonds D'Ewes* stood up, and declared himself to be of a contrary opinion; for that the house not only ought, but must trust his majesty; and that they were not in a condition to stand upon such high terms: 'For,' said he 'Mr. Speaker, If you know not in what condition you are, give me leave in a word to tell you: your silver is clipped; your gold shipped; your ships are revolted; yourselves contemned; your Scots friends enraged against you; and the affections of the city and kingdom quite alienated from you. Judge then whether you are not in a low condition, and also if it be not high time to endeavour a speedy settlement and reconcilement with his majesty.'

The Commons resolve that the King shall assent to the Three Propositions before any Treaty.] At length, the house came to this resolution, upon a division of 80 against 72, "That the three Propositions for settling Church-Government, for the Militia, and for recalling all Proclamations and Declarations against the parliament, be sent to the king; and be by him assented to, and signed with his hand, before the Treaty: and that the same be made acts of parliament when the king shall come to Westminster." But the place of

* Mercurius Pragmaticus, No. 16.

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Treaty was not fixed upon till some months after.—Next day, the commons sent up the foregoing Vote; which was referred to consideration the next morning, and all the lords to be summoned to appear. At which time, after reading the said Vote, it was unanimously agreed to adhere to their former Vote, That the three Propositions sent into Scotland, to be granted by the King, before a Personal Treaty be begun, be not insisted on. A committee of lords were also appointed to draw up Reasons, to be given at a conference with the commons, why their lordships adhere to their own Vote.

July 6. The commons resolved, That all the Papers relating to the Negotiations between the English commissioners and the parliament of Scotland, should be forthwith printed and published, but this was not done till the 14th of August following. *

The Duke of Buckingham, the Earls of Holland, Peterborough, &c. take up Arms in favour of the King.] At this time came intelligence of 500 horse being got together near Kingston upon Thames, headed by the earl of Holland and the duke of Buckingham, with his brother lord Francis Villiers; that the earl of Peterborough had joined them; that they had declared for the King; summoned the country to come in; and plundered some of the parliament's friends. This affair soon discovered itself more fully.

A Declaration of their Intentions.] July 7. A Letter was read in the house of lords, from col. Dingley at Hampton-Court, directed thus:

For my honoured Friend, John Brown, esq. Clerk of the Parliament.

"Sir; These Letters are of much concern to the public business, therefore I desire the packet may be delivered with all speed; for the timely notice may prevent much danger. Your servant, Jo. Dingley. July 6."

In the packet were three Letters inclosed; one directed for the Speaker of the house of lords, another for that of the commons, and a third for the lord mayor. The two last were immediately sent as directed, and the first was read as follows, together with a Declaration under the same cover:

For the Right Hon. the Speaker of the House of Peers.

"My lord; We do here take away your jealousies, by giving you a clear knowledge of our Designs; which if you shall be pleased to communicate to the house of peers, we hope they will find we do not vary from those principles and grounds we have been engaged in, both for his majesty and the parliament; which God give them grace so to think and advise upon it, as his majesty may find his just rights, according to our Covenant and Declarations, and the Parliament rise and recover the dignity due unto them, by a speedy way of settling the Peace of this distracted kingdom. Your, &c. G. BUCKINGHAM, HOLLAND, PETERBOROUGH."

The DECLARATION of the Duke of Buckingham, the earls of Holland and Peterborough, and other lords and gentlemen, now associated for the King and Parliament, the Religion, Laws, and Peace of his Majesty's Kingdoms.

"Finding this conjuncture to be the proper time when this wearied kingdom may be delivered from those miseries it both hath and may apprehend yet to feel by such persons as are ill-affected to our peace; who at this time, without authority or commissions, disperse themselves into all parts to raise forces, with no other intention but to continue a bloody and intestine war; which may prove dangerous to the whole kingdom from the assistance they find by the committees of the several counties, who have so abused their power and the people by an arbitrary way of government, as they shun and apprehend nothing more than what we shall endeavour and seek, peace and a well-settled government: and therefore that the whole kingdom may be satisfied upon what grounds and principles we go to oppose and prevent this mischief and danger, we do here declare, That we do take up Arms for the king and parliament, religion and the known laws, and peace of all his majesty's kingdoms; professing before Almighty God, That we have no other design in this undertaking, but to see this well and speedily established; and will, with readiness and joy, lay them down whensoever God shall give us the enjoyment of this blessing; professing that, whatsoever may be our success and prosperity in this good cause, we shall not say by way of menace to the parliament, that we will use the power God hath put into our hands; but shall bless God that he hath made us the instruments to serve the king, the parliament and kingdom, in the way of peace, in a just and equal composure between them: and we hope the city and kingdom will well weigh and consider, whether they may not more reasonably and conscionably join with us in these pious and peaceable resolutions, than with those forces that have, by their breach of faith and their disobedience, kept up the sword, when those that delivered it into their hands commanded the laying of it down; which disobedience hath brought this fresh storm of blood that is now falling upon this kingdom, and all those fears and confusions that Petitions daily shew to be in the thoughts and apprehensions both of the

* In the Title Page the design of the publication is thus set forth: 'That it may appear 'what the endeavours of the kingdom of Eng-'land have been to keep a good understanding, 'and to preserve the union between the na-'tions: and how the Seizing of Berwick and 'Carlisle by Papists and other notorious De-'linquents (against whom both kingdoms lately 'joined in war as enemies to the happiness 'and peace of both) was countenanced, if not 'procured, by the Scots nation, contrary to 'several Treaties and Agreements between the 'kingdoms of England and Scotland.'

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city and the whole kingdom. We might add sad circumstances that are of late discovered and broken out concerning his majesty's Person, and likewise a confused and levelling undertaking to overthrow monarchy, and to turn order, that preserves all our lives and fortunes, into a wild and unlimited confusion: but we desire not to express any thing with sharpness, since our end and pursuit is only Peace; which shall appear to all the world, whensoever we may see a Personal Treaty so begun with his majesty as we may expect a happy conclusion by it; which cannot follow but by a cessation of arms, that in all parts of the world hath accompanied these Treaties, even between the bitterest enemies, Christians and Turks, much more to be expected in these our civil divisions amongst ourselves; for the sword should not be in action as long as a Treaty of Peace is in agitation, since accidents of hostility on both sides will sharpen and divide us rather than close and unite us. This we thought fit both to desire and to declare, that the discourses that may be raised upon our actions may not have power to abuse the kingdom, as if we did only move in a way to set up his majesty in a tyrannical power, rather than in his just regal government; the which hath been always found, in this nation, very well consistent with the due rights and freedom of parliament, which we do here most faithfully protest the endeavouring a preservation of, and call God to witness our sincerity in this intention. G. BUCKINGHAM, HOLLAND, PETERBOROUGH."

The foregoing Letters being read in the house of commons, they immediately passed a Vote, declaring the duke of Buckingham, the earls of Holland and Peterborough, and all that have or shall adhere to them, traitors and rebels, as levying war against the parliament and kingdom; and that they ough to be proceeded against as such: also, that the Committees in the several counties, where any of their estates lie, do forthwith proceed to the sequestration thereof.

Their Attempt defeated by the Parliament's Forces.] This Attempt in favour of the King proved abortive, the forces raised upon that occasion being totally routed, a few days after, by sir Michael Livesay and major Gibbons. The earl of Holland fled to St. Neot's, in Huntingdonshire, where he was taken by col. Scrope; and being, by order of parliament, committed to Warwick-Castle, continued a prisoner till he lost his head upon the scaffold. The duke of Buckingham and the earl of Peterborough made their escape into London, and there lay concealed till they found an opportunity of going into Holland, and joining the prince of Wales. The motives to this insurrection, and the particulars of the defeat, are amply related by the contemporary historians.*

* See Clarendon, vol. v. p. 122, 174. Whitlocke, p. 313. Warwick's Memoirs, p. 315. Ludlow, vol. i. p. 255.

Col. Hammond's Vindication of himself, touching the Charge against Major Rolph.] July 8. Another Letter from col. Hammond, concerning the charge against major Rolph, was read, directed to the Speaker of the house of peers: "My lord; Being deeply sensible of the reflection upon me, and divers other innocent persons, by Mr. Osborne's proceedings in excuse of his odious Treachery; I am bold to beg of you, that this Charge against major Rolph may be brought to a speedy examination; who, I am confident, will appear a man exceedingly injured, and this only a design to work greater disturbances in these distracted times. As this horrid scandal relates to the Army, I must say, that, neither directly nor indirectly from any member of it, or from any other person or persons whatsoever, did I ever receive a word or tittle tending, in the least, to such a wicked purpose; much less, as it relates to myself, could I, or did I, speak any such thing to Major Rolph. But this is not the first fruit of this kind I have received for my faithful service to you, nor is it more than what I have expected; yet herein I am satisfied, that, in faithfulness and integrity, I have observed your commands with all possible care of, and respect to, the person of the king; so that, come what will come, I can say from a good conscience, the will of God be done: and in this I appeal to his majesty, who, of any man, best knows it; and who doth, and I doubt not will still, upon every occasion, as opportunity serves, sufficiently clear me.—My lord, if through Mr. Osborne's malice, or rather the wicked design of those who have set him on work, you have received the least prejudice against me, be pleased to send down some other, whom you may judge more worthy of your trust, to receive my charge; and I shall immediately, with all possible speed, present myself to you to receive your pleasure. In the mean time it shall be the business of my best endeavours to preserve his majesty's person from danger, as well as in security, in this place, according to your commands, until I receive instructions for his removal; which I hope and expect will be sudden. Your, &c. Ro. Hammond, Carisbrooke Castle, July 4."

Petition from the City of London not to make Peace with the King without previous Security.] July 12. A Petition was presented to the lords, by alderman Fowke and others, of a different tendency to any of the foregoing:

"To the Right Hon. the Lords and Commons in Parliament assembled; The Humble PETITION of divers well-affected Magistrates, Ministers, Citizens, and other Inhabitants of the City of London, and Parts adjacent.

"Sheweth; That we cannot but take notice of the many obstructions you have met withal, whilst, with indefatigable care and diligence, you have been earnestly labouring and endeavouring the deliverance of the people of this kingdom from those many and great invasions made, and much more intended, upon Religion,

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and Civil Liberties, had not you, assisted by the Almighty God, interposed, for which we cannot but render all humble and hearty thanks; and now finding the same evil spirit reviving and working much more strongly and effectually, though much more closely and cunningly, under specious pretences; attempting that by subtilty, which, by the goodness of our God, they could not obtain by power; using such things as an occasion and means to divide, which, at first, were ordained for uniting of all the godly and honest people of the three kingdoms upon safe and just principles, viz. the Protestation in May, 1641; the Vow in June, 1643; the Solemn League and Covenant in Sept. 1643; and your other several Votes and Declarations to the same effect: although your petitioners do most heartily desire a right understanding and an happy reconcilement between the king and parliament, yet it is far from the thoughts of the petitioners (and they hope of many others that have lately, out of good affection, petitioned for a Personal Treaty) to make use of tumults or commotions, and revolts of castles and ships, thereby engaging the kingdom in a new war, or of any other difficulties the parliament hath been, or may be, exposed unto, to precipitate their councils, or to destroy their forces that now are, or hereafter shall be, raised; being, as the petitioners conceive, contrary to the said Protestation, Vow, and Covenant, as it is also calculated to necessitate the parliament to a Treaty, before such Satisfaction and security be given as may obtain the ends of our former Engagements.—Your petitioners therefore humbly pray, That, you will adhere to the said Protestation, Vow, and Covenant, and to the constant tenor of all your former Declarations; and not recede from those first and just principles, viz. the Safety of yourselves, and all that have or shall adhere to you; the Reformation and Preservation of Religion; the Maintenance and Defence of our Laws and Liberties which you have openly held forth to all the world, and by which you have engaged all the honest and well-affected people of all the three kingdoms to serve you, with their lives and estates; lest you betray yourselves and them to the merciless cruelties of those that seek your and their destruction, and draw the blood of many innocent persons upon you and yours.—For preservation whereof your petitioners further humbly desire you will faithfully persevere in the due execution of your said just undertakings and engagements; and that such a course by your wisdoms may be taken, for security and satisfaction to be given as aforesaid, that neither his majesty, nor any other, may have occasion or opportunity of renewing the old, or raising a new war; and so doing, that God, who hath hitherto owned you and your cause, will assuredly do so still; and we your petitioners, with many thousands, as formerly, so are still ready, in pursuance of the said Protestation, Vow, and Covenant, with their lives and fortunes, to adventure all with you and your forces, in this common cause, against all opposition. And we shall ever pray, &c."

This Petition, as the Journal expresses, was said to be subscribed by divers Thousands, in the name of several well-affected Magistrates, Ministers, Citizens, and other inhabitants of the city of London, and parts adjacent; but the persons who brought it in being withdrawn, the lords debated some time on the question, Whether to return them Thanks for it, or not? which was carried in the affirmative; the earls of Lincoln and Suffolk, and the lord Hunsdon, entering their dissent against it. After which the Speaker, by command of the house, returned the following Answer:

"The lords have full confidence of the faithful services and constancy of you, who now have delivered this Petition; and have commanded me to give you thanks for your fidelity to the parliament; and to desire that, in their names, thanks may be returned to all the rest of the petitioners, for the expressing of their good affections and zeal to the honour and safety of the parliament. They have further commanded me to assure you, That their endeavours shall be so to act, as that they may declare to the whole kingdom their constant adherence to their Protestation, Vow, and Covenant, in the maintenance of the cause they are engaged in, and in the procuring and settling a safe and well-grounded Peace."

But when this Petition was presented to the commons, they were so far from debating whether the petitioners should receive thanks or not, that the Speaker, by order of the house, gave them an Answer expressed in the highest terms of satisfaction; which, with the Petition, was ordered to be forthwith printed and published, as follows:

"The house hath received your Petition, and taken into their serious consideration the matter thereof: they find it a Petition for Peace, for peace indeed: such a peace as is pursued by this house, and all honest men, with preservation of religion, the laws, and the liberties of the subject, in a safe and well-grounded peace, upon the principles whereon we first engaged: they look also upon the seasonableness of it, at such time when men's spirits, by the artifice of Malignants, are so heightened against the parliament, that honest men scarce dare own the former cause: and yet, at this time you dare justify your first principles: and when there is scarce power to imprison any of our enemies, that either hath, or doth now engage in this new and bloody design, without tumults and rescues; and yet now you dare avouch your former undertakings.—The house doth also observe the quality of the petitioners; divers aldermen, and great magistrates of the city of London; many reverend ministers, who have always held close to the cause; many noble commanders and officers, and other the gentlemen of birth and quality, that have less valued their blood, than the hazard and loss of so noble an undertaking, in which they perceive the constancy of your resolutions to the

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cause of the kingdom, and of your affection to this house.—I am commanded to give you their real and hearty Thanks, and to declare unto you, That they are resolved to adhere to their first principles, and with their lives and fortunes maintain the same, and all that do adhere to them therein; and also do approve of the Petition, and the matter thereof: and they have further commanded me to assure you, That, in composing of the Peace they are now upon, they will take care for the preservation of Religion, the Laws, and the Liberties of all those that have or shall adhere and remain constant to these ends."

The Duke of Hamilton's Letter to Gen. Lambert, upon the Scots Army marching into England.] The same day a Message came up to the lords from the other house, along with a Letter from major general Lambert, in which was inclosed another from the duke of Hamilton; the purport of which was as follows: and first the duke's.

"Noble sir; The parliament of the kingdom of Scotland, upon the consideration of the great danger imminent to religion, his majesty's sacred person, and the peace of his kingdoms, from the prevailing power of sectaries and their adherents in England, did lately send to the honourable houses of parliament such Demands as they conceived just and necessary; whereunto not receiving any satisfactory Answer, and finding their dangers still increasing by great forces drawn together upon their borders, the Committee of Estates of Parliament have thought fit to lay their commands upon me, with such other noble persons as they have joined with me in this their service, for prosecuting their just Desires, in pursuance of the ends of the Covenant, according to the joint Declaration of both kingdoms of the 6th of Jan, 1643,4 for settling of religion; liberating his majesty from his base imprisonment; freeing the honourable houses from such restraint by forces which have been long upon them; disbanding all armies, whereby the subjects may be freed from the intolerable burthen of taxes and free quarter, which they have so long groaned under; and for procuring the settling of a solid Peace and firm union betwixt the two kingdoms under his majesty's government.—These being the true intentions and Desires of the kingdom of Scotland, who will most faithfully observe, on their parts, their Engagement by covenant and treaties to their brethren of England; I expect therefore you will not oppose this pious, loyal, and necessary undertaking; but rather join with them and me in the prosecution of those ends.—I shall desire that the bearer, the trumpeter, may not be long kept; but returned with your present positive answer, that accordingly I may move as I am commanded. I am, sir, &c. HAMILTON. Annan, July 6."

To his Excellency James duke of Hamilton and Chastleherault, &c. General of all the Scots Forces by Sea and Land.

"My lord; I have received a Letter from your excellency by your trumpeter, which mentions that the parliament of Scotland having, upon consideration of the danger to religion, his majesty's person, and kingdoms, by sectaries in England, addressed themselves to the parliament of England for redress, they have not received a satisfactory Answer therein. To this, my lord, I shall not take upon me to give any Answer, seeing their late Ordinances concerning the Settlement of Religion, their sundry Addresses and Propositions tendered to his majesty, in order to the Peace and well-being of this kingdom, are published and laid open to the view of the world; all which, I doubt not, are well known to your excellency.—To what your lordship mentions concerning the increase of Danger, by the drawing of some forces upon the borders of Scotland, I can more fully answer; having the charge and conduct thereof, by commission from his excellency the lord Fairfax; and I have his positive command to be most tender in acting any thing which might give any seeming occasion of offence to our brethren of Scotland: these commands I can confidently say I have hitherto most cautiously and punctually observed; and further, that I do believe that it never entered into the parliament's or his excellency's thoughts, to act any thing prejudicial or harmful to the kingdom of Scotland; and what the true reasons are which did occasion the drawing these forces so near the Borders I shall not need to mention, all men knowing it to be for the suppressing of sir Marmaduke Langdale and his adherents, many of whom are papists and grand Delinquents, and are lately risen in rebellion against the parliament; and have ever been, and still are, notorious opposers of the ends of the Covenant, according to the joint Declaration of both kingdoms of the 6th of Jan. 1643,4 for settling of religion, his majesty in his due rights and prerogatives, and for the procuring of a firm peace and union betwixt both nations.—For what your lordship mentions for the freeing the honourable houses from restraint of forces lying upon them; I cannot but wonder at their artifice who have so cunningly suggested these things to the parliament of Scotland, as to possess them with the belief thereof; seeing it is apparent to all men that the parliament sits and votes free; and no visible force in this kingdom acts any thing but by their immediate command, except those Malignants and some few of their adherents formerly mentioned. And for your lordship's further satisfaction in this, I know no surer way to understand the truth than by an Answer from the parliament, which I doubt not but you will readily receive. I should trouble your lordship too much, if I should only briefly run over their labours for the disbanding of all forces, except such as they did judge necessary for the kingdom's and their own defence; as also their zeal for freeing the subjects from unnecessary taxes and free quarter, which I persuade myself your lordship cannot but, in

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some measure, have heard of before this time; and therefore I shall still, in satisfaction to your lordship's expectation, 'That I should 'not oppose the Committee of Estates in their 'pious, loyal, and necessary undertakings,' answer, that I conceive their resolutions are wholly grounded upon mistakes; desiring you to consider whether also not contrary to the Covenant: and I must, in prosecution of the trust reposed in me, to the uttermost of my power, oppose all forces whatsoever, either raised or brought into this kingdom, except those by authority and command of the parliament of England; in which I hope your lordship will not oppose, but rather assist me, if the parliament of England shall desire it.—I have, according to your excellency's desire, returned your trumpeter as speedily as I could dispatch him; and doubt not but, upon your lordship's addresses to the parliament of England, you may receive more ample satisfaction herein; and, in the mean time, this is tendered to your lordship as an Answer from my lord, Your &c. J. LAMBERT. Castle Sowerby July 8."

Declaration, offering an Indemnity to the revolted Seamen.] July 13. A Message was sent from the commons to the lords, desiring their concurrence in the following Declaration concerning the Mutiny in the Fleet. To which they agreed:

"It cannot be unknown unto all men, that the commerce and navigation of this kingdom hath been, by the blessing of God, an especial means of the honour and greatness of the English seamen; and that the courage, industry, and fidelity of the English seamen and mariners, hath been a principal means for the increase of the trade and commerce of this kingdom in all the parts of the world; the consideration whereof hath caused both houses of parliament to have an especial care unto the royal navy, by building many ships and frigates, and setting forth and maintaining fleets; expending in that service the whole revenue of the Customs, (the greatest part whereof, in former times was diverted to other uses) besides other vast sums of money laid out in that action; and for the better encouragement of such mariners as were employed in the service of the state, they have much advanced their pay above that which it was formerly; and at the coming in of the Fleet have so carefully provided for them, that they were not discharged from boarding, victuals and wages, until their moneys were duly paid them; hoping that, by these and many other encouragements upon all occasions, they would have approved themselves faithful to the kingdom, in the discharge of the trust reposed in them; but, contrary hereunto, the mariners of several royal ships, set forth in this last summers fleet, being seduced by the cunning insinuation of some men ill-affected to the Peace of this kingdom, have treacherously revolted from their duty, and do still persist in their disobedience; by which horrid and detestable act, in breach of their trust, they have much blemished the honour and credit of the navigation and mariners of this kingdom; and as much as in them lay, betrayed the public interest and liberties thereof and retarded those ends of an happy Peace which the parliament have ever pursued, and now are more especially employed in: and although both houses of parliament have, after an Act of Indemnity already offered, good reasons to proceed to the reducing of them by force; yet, to the end it may appear that the parliament do, as much as in them lies, seek to prevent the effusion of blood, the said lords and commons do hereby offer and declare, That if the seamen, officers, and commissioners aboard the ships shall, within 20 days after publication hereof, or forthwith upon notice given them by the lord-admiral, or such other person or persons as he shall appoint, render themselves, and the ships wherein they are, to the parliament's obedience, and bring them into some port under the command of the parliament, the persons so submitting shall be indemnified in their persons and estates, any former act of theirs notwithstanding: But if they shall, after the said time prefixed is expired, persist still in their disobedience, then the house will proceed to the reducing them by force, and doubt not of a good success by the blessing of Almighty God; hoping that every true-hearted Englishman will contribute his utmost assistance to this great work, especially the merchants and owners of ships, they being principally interested in the consequences thereof, it being to be expected that the revolters will endeavour to maintain their defection by rapine and violence: and for the encouragement of seamen to engage themselves herein, the lords and commons do promise and declare, That such seamen as shall so engage, and use their best endeavours in so honourable a work, shall have two months wages extraordinary duly paid them as soon as the said ships shall be, by them, reduced and brought into port: and it is lastly declared, That not only the persons aboard the said ships, who shall, notwithstanding this offer of Indemnity, stand out, but also all others the subjects of this kingdom, and others whatsoever, who shall hereafter join with, assist, supply, or any way adhere to them, shall be dealt with and proceeded against as traitors and enemies to the kingdom, and their estates confiscated; and for the miseries that shall ensue they will stand charged with the same as guilty of them, and authors of that ruin which will attend them and their posterity."

The Commons vote the Scots Army under the Duke of Hamilton to be Traitors.] July 14. A Letter being read in the commons from major-general Lambert at Penrith, signifying that an Army of Scots were come into England under the duke of Hamilton, who arrived at Carlisle the 8th of this month, and that his forces were now lying about Wigton, in Cumberland; the house resolved, "That the forces so come out of Scotland into England in a

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hostile manner, (under the command of the duke of Hamilton*) being without the authority of the parliament of England, are enemies to this kingdom; and that all persons of the English or Irish nation that join with, or adhere unto, or voluntarily aid or assist them, are Rebels and Traitors; and shall be proceeded against as such."—Thus the Resolution stands in the Commons Journals: but a member of this parliament writes,† That the question was at first proposed, That all such Scots as are, *or shall*, come, &c. and that upon debate the words *or shall* were left out upon this consideration, "That the marquis of Argyle might haply come into England with a party, and fall upon the duke of Hamilton in his rear."

Petitions from the Watermen on Thames; and the Inhabitants of Westminster, Southwark, &c. for a Personal Treaty.] July 18. Two more Petitions were presented to the lords, but of a different nature from the last: that from the Watermen is the most pathetic we have yet met with, and very expressive in the King's favour. The lords Answers to these and the foregoing both shew, that they thought themselves obliged to use all parties with civility.

To the Right Hon. the Lords in Parliament assembled; The Humble PETITION of the WATERMEN belonging to the River of Thames,

"Sheweth; That the Petitioners, being in fraternity above 2000 persons, are all undone and like to perish by reason of his majesty's absence from us; he being kept away notwithstanding his many former gracious offers; and therefore, having an interest both in his person and government, we cannot do less than humbly beseech your honours speedily and really to invite him to London, with honour, freedom, and safety. And your Petitioners shall pray, &c."

The Petitioners were called in again and answered by the Speaker, "That the lords have not been wanting in their endeavours to bring his majesty to treat at London, and shall still continue to do what in them lies for the procuring a speedy settling of these unhappy distractions."

To the Right Hon. the Lords in Parliament assembled; The Humble PETITION of divers well-affected Inhabitants of the City of Westminster, Hamlets of the Tower, Borough of Southwark, and parts adjacent within the Weekly Bills of Mortality,

"Sheweth; That your petitioners, notwithstanding their grievous sufferings and heart-breaking fears of utter ruin to all that is precious in this sometime flourishing kingdom, by the continued, nay encreasing, distractions thereof, cannot but look on your present resolutions of a Personal Treaty with the king's majesty as a door of hope opened by the God of Salvation for the cure of our, otherwise remediless and all-destroying, distempers; and as they give you hearty and humble thanks for your Votes and Resolutions already passed to that purpose, so they cannot but as Englishmen, nay Christians, humbly and earnestly beg your lordships speedy and effectual progress therein, until the great Creator of the ends of the earth create a happy Peace to this now miserably tossed and afflicted kingdom.—And whereas the lord mayor, aldermen, and common council of the city of London have, in order to the said Personal Treaty, made several late Addresses to the houses of parliament; offering their utmost endeavours, both of estate and life, for securing of his royal majesty and both houses of parliament, from all force and tumults impeding or disturbing the said Treaty; and desiring, in order thereunto, that the Militia of the out-parts may be united to and with the said city of London, as it was constantly, during our said troubles, with very good success and advantage to the public safety, fixed till of late: your petitioners, in concurrence with the said Engagement and Desires of the honourable city of London, do humbly pray that the said Personal Treaty may be hastened; the Militia of the out-parts united with the said city, and the command thereof vested in the hands of such persons only as are cordial to the ends of the Protestation, Solemn League and Covenant; which we humbly conceive may best tend to the preservation of his majesty's royal person and both houses of parliament, in their settling a safe and well-grounded Peace by this so much desired Treaty. And your Petitioners shall pray, &c."

The Petitioners being called in again, Answer was returned by the Speaker, as follows: "The lords return you Thanks for the expressions of your good affections and zeal for the public peace of this kingdom: they have further commanded me to let you know, that they shall improve their best endeavours in Answer to your Desires contained in the several particulars of your Petition; nothing being more in their care than the restoring of the peace and happiness, and the establishment of the fundamental government, of this now distracted and divided kingdom."

The Lords refuse their Concurrence in the Vote against the Scots Army.] This day the commons sent up a Message to the lords, with their Resolution of the 14th, "That the Scots, now come into England in an hostile manner, were enemies to the kingdom of England, and that all such English and Irish who join them are Traitors." This Resolution occasioned a warm debate in the house of lords, which ended in a division on two questions: the first, Whether the consideration of this matter should be deferred for some days? the next,

* On the 20th of July the Resolution against the Scots was somewhat softened by this Addition.

† Walker's History of Independency, p. 121.

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Whether to agree to the Resolution? and both passed in the negative.

The Commons declare all such to be Traitors as invited the Scots Army.] July 20. The commons passed a Resolution, declaring all such persons of this kingdom that had invited the Army of the Scots, now come into England, under the duke of Hamilton, or had assisted that Army, to be Traitors, and that they should be proceeded against as such; which Vote they immediately sent up to the lords for their concurrence.—The occasion of passing this Vote is thus set down by Mr. Walker:* "The Speaker informed the house, That major general Lambert having stopped one Mr. Haliburton, a Scots gentleman, in passing through his quarters with Letters from the duke of Hamilton to the two houses and the king, he found upon him divers private Letters, for carrying of which he had no public authority; and therefore Lambert made bold to seal those private letters in a packet by themselves, with his own seal and Mr. Haliburton's; and Lambert had sent up Mr. Haliburton with lieut. col. Osborne, a godly Scots gentleman, and another keeper, in nature of a prisoner. Mr. Osborne delivered that private packet to the Speaker; so a committee was named to peruse the same. Mr. Osborne was then called in to speak what he knew of this matter, who declared at the bar, That the godly party in Scotland were oppressed, and trodden under foot, by the duke of Hamilton's party; that their very souls were afflicted at his proceedings; that the kirk of Scotland, with one mouth, proclaimed to their faces their Engagement, and the proceedings thereupon, to be damnable and destructive: he also desired the house not to look upon those proceedings as the act of the nation of Scotland, since there were a great many godly men who hoped the Lord would enable them, in his good time, to march into England with the marquis of Argyle, and fall upon the rear of the duke of Hamilton with a diversion. He reported the Scots that came in to be but 8000 horse and foot, and Langdale but 2000. Then were read the Letters of the duke of Hamilton, wherein he complained that no Answer had been given to the parliament of Scotland's just Desires of the 26th of April last; that by authority of the Scots parliament he was necessitated to come into England according to the Covenant, and not without the invitation of divers well-affected English who had taken the Covenant. There was a Declaration inclosed in the Letters, but the prevailing party obstructed the reading of it; and then the question being put for declaring all such persons Traitors who had invited the Scots Army under the duke of Hamilton to come into England, it passed in the affirmative."

Paper from the Scots Committee of Estates, expressing their Dissatisfaction at the Proceedings of the English Parliament.] The same day, the earl of Manchester presented to the house of lords a Letter from the earl of Nottingham at Edinburgh, inclosing

A PAPER from the Committee of Estates of Scotland, of the 8th of July, to the Commissioners of England, in Answer to some of their former Papers: dated Edinburgh, July 8, 1648.

"We the Committee of Estates of the parliament of the kingdom of Scotland, do return this Answer to your lordships' Paper of the 17th and 22d of June: that although our commissioners at London did often, for some months together, after the return of our Army out of England, attend without any Answer to their Papers, and the just Desires of this kingdom; and at several times, for many days, could obtain no hearing; yet the parliament, notwithstanding of their important business, and that this last session was very short, did always, immediately after the receipt of your lordships Letters and Papers, read them; and returned such Answers as they conceived ought to satisfy, and particularly to your Desires concerning Berwick and Carlisle, as likewise to that Engagement which you were pleased to offer, upon the advance of the Army under the command of the lord Fairfax, into the north of England towards our Border; which therefore we shall not here repeat.—The parliament also, upon consideration of the great dangers threatening religion, his majesty's Person and authority, yea monarchy itself, and the peace and happiness of these kingdoms, strictly united by Covenant, Treaties, and so many near Relations, did, upon the 26th of April last, send such Demands to the houses of the parliament of England, as they conceived to be just and necessary; to which they did, upon the 15th of May, return a very general Answer, relating to a more particular satisfaction, to be expected from your lordships. And the Committee of Estates did, on the 23d of May last, desire to know if your lordships had received any further Instructions for satisfying the Desires of this kingdom: to which your lordships answered, 'That as yet you had not received any;' neither have we, since that time, heard any thing concerning the said Desires from your lordships; which we cannot but look upon as a great contempt and neglect of this kingdom, and an evidence of no great forwardness or inclination towards a peace or settlement, or resolution to entertain that amity and good correspondence betwixt the nations, which we, by treaties, messages, and all imaginable means, have still studied to preserve: and, had a satisfactory Answer been returned to these our necessary Desires, all the inconveniences which hereafter may ensue, would probably have been prevented, which we have still since that time patiently expected, and acted nothing as to an engagement, in hopes thereof: but finding the dangers to all that is dearest to us still increasing; no satisfaction, nor so much as an Answer offered to these our just and necessary Desires; no security to

* History of Independency, p. 121.

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religion, but rather a greater danger thereunto from the three Propositions now communicated unto us; no hope of safety or freedom thereby to his majesty's person, and as little of freedom to the honourable houses of the parliament, ease to the oppressed subjects of England, or security to either nation; we have therefore resolved to pursue our duties in order to all these, as Christians, as subjects, and as brethren joined together in Covenant, upon the grounds contained in the inclosed Declaration; which we desire your lordships would be pleased to communicate to the honourable houses.* By command of the committee of the estates of parliament, ARCH. PRIMROSE, Cler."

The foregoing Paper, and the Declaration mentioned to be inclosed therein, was read, as were also the Desires of the Parliament of Scotland of the 26th of April last, which had been presented to the parliament on the 2d of May. Then the Vote sent up this day from the commons, declaring, "That all such persons of this kingdom, who have invited the Scots Army now in England, under the command of the duke of Hamilton, to come into this Kingdom, or have assisted that Army, are Traitors, and shall be proceeded against as such," was also read. And the question being put, Whether to agree to this vote? it passed in the negative: but the earls of Pembroke, Salisbury, and Mulgrave, the lord viscount Say and Sele, and the lord Howard of Eskricke, entered their Dissent.

It was then ordered, that a Message be sent to the commons, to desire that the committee formerly appointed to consider of a Peace with the King, should meet this afternoon, to review the Declaration from the Committee of Estates of the kingdom of Scotland, and also their Desires of the 26th of April last; likewise to find out some expedient, that the Treaty between the king and parliament may be speeded, and that care might be taken to prevent the casting the two kingdoms into war and bloodshed. The lords also resolved, That the Scots Declaration should be printed and published.

Declaration of the Scots, containing their Reasons for returning into England.] This Declaration, which is a recapitulation of all the proceedings of the English Parliament since the Independent party and the Army gave the rule there, we shall give at large from the Original Edition.†

A DECLARATION of the Committee of the Estates of the Parliament of Scotland to the Honourable Houses of the Parliament, and to all their Brethren of England, concerning the Necessity, Grounds, and Ends of their Engagement; and of the Return of the Scots Army into England.

"After so long continuance of the sad calamities that have almost wasted these three kingdoms, and the uninterrupted endeavours of this nation to have all the causes of them removed, we cannot possibly express with what grief of soul we find them still more likely to be increased than diminished; neither did any part of our former sufferings more deeply afflict us, than again to be necessitated to expressions and actions, that, by some, will rather be looked upon as incentives of new troubles, than means to quiet and calm the present distempers: Wherefore we have thought fit to offer this ensuing Declaration to the honourable houses of the parliament, and to our brethren of England, for satisfaction of all religious, loyal, and honest men, That heaven and earth may bear witness with us of the necessity of our engagement and undertaking at this time, and of the candor of our intentions and resolutions. —After that, by the blessing of God upon the endeavours of this nation, and their armies at home and in England, in two several expeditions, a happy peace was settled, religion and the just liberties of this kingdom established, a parliament called in England, and great progress made towards the redress of all grievances, and reforming abuses both in church and state, it pleased God again to call us to new troubles; for the differences betwixt the king and parliament being increased and heightened into a bloody war; the many Addresses of this kingdom to his majesty and the two houses, for an amicable composure of differences, having proved fruitless and ineffectual; and the parliament reduced to a low condition; this kingdom was invited to the assistance of their Brethren, large professions by them were made of their desires of unity and uniformity in religion, of a nearer conjunction with this kingdom; and the dangers were fully represented to us of a prevailing party in England, different from us in religion and Church-Government.—It was then acknowledged, That the same fate in religion attended both; and (because it was well known that, although unhappy differences had arisen betwixt his majesty and his subjects in that kingdom, yet Scotland could never be drawn into any action against his majesty, or that fidelity and subjection which they owe to him and his posterity;) large professions were therefore made, by the two houses, of their loyalty to the king, whose greatness and authority they professed they never intended to diminish, as may more fully appear in their several Declarations; commissioners were sent into this kingdom, invitations renewed, a treaty made, and a Covenant solemnly sworn and signed, for reformation and defence of religion, the honour and happiness of the king, and the peace and safety of the kingdoms.—Thus both kingdoms were equally and mutually engaged; and, in pursuance of that Covenant and Treaty, an army marched into England in the hardest

* To this Paper the English Commissioners returned no Answer, seeing that the Scots Army had then invaded England.

† Printed at Edinburgh, by Evan Tyler; on the back of the Title-Page are these words, 'God save the King'. The Edition printed at London, by Robert Bostock, is an exact Copy, except in this circumstance.

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season; and both kingdoms, in their joint Declaration, Jan. 6, 1643-4, obliged themselves, and decreed, never to lay down arms till truth and peace, by the blessing of God, were settled in this island upon a firm foundation, for the present and future generations.—Although we shall not mention what success that Army had, what blood they lost both in Scotland and England, what hardships they endured, and how much this kingdom was thereby impoverished; yet we cannot but remember how that, by the blessing of God upon the joint councils and forces of both kingdoms, the two houses of parliament were recovered into a condition of making good those engagements; and with what unity both kingdoms proceeded towards attaining of those ends, until that party in the houses, who since have declared themselves Independents (who seemed most forward in engaging of this kingdom, and at first professed greatest care of our army) had attained to power, discovered their intention, and interrupted all those fair beginnings: they created and fomented jealousies against the Scots; and, by their influence on the houses, cashiered all in England by sea and land, how eminent, how faithful soever, that they could not confide in; and, by the success of their new-modelled Army, (for the most part Sectaries) they engrossed all power, military and civil, into their own and their creatures hands. The Propositions formerly agreed on by both kingdoms, and treated on at Uxbridge, were altered; yet this kingdom was content so far to deny themselves and their own interests, as to wave the Propositions most advantageous to Scotland; and, for witnessing their desires of Peace, to join in those framed by the two houses where the Independents had got such a power. —And for the greatest testimony of our confidence in the honourable houses of parliament, (notwithstanding the many injuries and discouragements received in England, from the then and still prevailing party in the English Army and their abettors, who were grown Anti-Covenanters, and threatened a disappointment of all the ends of the Covenant; yet, upon the public faith of the two houses given to us, for the preservation and safety of his majesty's sacred person, and of making joint Addresses to his majesty for settling a safe and well-grounded Peace, and free access of all employed by this kingdom to his majesty) the armies of Scotland returned from England, and left the king with the English commissioners; most of our army were immediately thereafter disbanded; and no more kept on foot but so many as were necessary for reducing some Scots rebels and Irish subjects of the crown of England, whom, by the Large Treaty, England was bound to reduce.—We expected that the like course would have been taken for disbanding the armies in England, and none kept on foot but such as were necessary for the garrisons and safety of the kingdom, there being then no professed enemy in arms, and these to have been such as both kingdoms might have confided in for affection to religion and monarchy: whereunto the honourable houses of the parliament did effectually apply themselves, as appears by their Declaration of the 28th of May 1647; but the Independent Party was as diligent to hinder it, by contriving and procuring a Petition from the Army against their Disbanding: this by the houses was voted mutinous, and the abettors of it enemies to the state. Then 200,000*l.* was provided, and commissioners sent down to the Army for disbanding it, and engaging a considerable Supply for Ireland, under the command of major-general Skippon, and lieutenant-general Massey; 167 Presbyterian officers engaged for Ireland, and gave obedience to the commands of the parliament; but, on a sudden, the sectaries of that Army drew themselves together; entered into a solemn Engagement against the Resolutions of the parliament; cashiered all the Presbyterian officers who had adhered to the parliament, or subscribed for Ireland; placed Sectaries in their charges; erected a supreme council of Agitators, and then grew indeed into a complete new model. —Soon thereafter a party out out of several regiments, commanded by a taylor, a cornet of theirs, one Joyce, violently seized on the person of the king; and carried him from his house at Holdenby, against his own will, and the Protestation of the commissioners then attending upon him, and against the declared resolutions of both kingdoms: and though this action was at first disavowed by the General, yet it appears to have been done by some under-hand warrant; for the king was kept still within the army's quarters, and strong guards placed about him: and when the houses thought fit to command the Army not to come within 30 miles of London, and to vote his majesty's coming to Richmond, they, by a threatening Message, forced the recalling of these Votes, and carried the king along with them to Hatfield and other places at their pleasure. —The houses did then justly think it necessary to look to their own preservation, least they should be served as his majesty was; and, upon the 11th of June 1647, they appointed a Committee of Safety to meet with the Militia of London, and to consider upon the preservation of the parliament and city.—The great work of the Army being to new-model the parliament, as well as they had done themselves, and to subdue and enslave that great and glorious city: in order thereunto they first began with a false and frivolous general Charge against divers members of the houses, eminent for affection and action in this cause, and violently pressed their suspension from the houses; but, upon a full and free debate, it was voted to be against the law to suspend any member upon a general charge, without bringing in and proving of particulars. This procedure did not fit the Army's occasions; they therefore sent several threatening Messages, That they would march to Westminster; that they would purge the house, and that they must take extraordi-

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nary courses: thus they force the houses to recall their Votes for a Committee of Safety, and to disband what forces they had drawn together under Presbyterian officers; they compel the 11 members to withdraw from their attendance in the house: and, the Militia of London, at the unanimous desire of the common council, being then settled in the hands of such persons as the city might most confide in, the Army, to perfect their designs upon them, enforced the houses to a new model of that Militia.—Having thus in their power the person of his majesty, and having over-awed the parliament and city, they disperse themselves in the several counties about London; list and raise daily more forces; and resolve to settle, or rather alter and subvert, religion and government after their own will; as is held forth in their Proposals which they first presented to his majesty, and afterwards sent to the houses, as that which they would have the ground of Peace: but the city was so enraged at the change of their Militia, that they came down to Westminster to petition against it; and the 'Prentices, who had learned from the Army the powerfullest arguments to persuade, came in multitudes, and pressed the granting of the common-council's Petition.—Thus, on the 26th of July 1647, the houses again settled the Militia as formerly; many in London entered into an Engagement, but the Militia of London quieted all tumults, settled orderly guards, and next day the house of commons sat quietly: yet it was resolved by that party, that the two Speakers and the friends of the Army should fly thither, which they did; the houses notwithstanding sat, chose new Speakers, revived the Committee of Safety, and put themselves in a posture of defence; and, upon the desires of the commissioners of this kingdom, they invited his majesty to come to London with honour, freedom, and safety.—The Army hereupon drew together; refused to own the parliament; declared against them; printed their own Proposals; cried out against a new war. In the mean time they and their friends that fled to them, being engaged by writing to live and die together, marched up against the parliament and city, who seemed to have been in a readiness to oppose them; until, by the endeavours of some that were better friends to the sectaries than to the parliament and city, by their many Addresses to the Army and returns, the city was surrendered; and the sectaries, having brought up the Speakers and members that fled to them, marched in triumph through London with laurel in their hats. Sir Tho. Fairfax was made captain-general of all England, constable of the Tower of London, and commander of all the garrisons of England: he put out an honest faithful citizen, and put in a sectary-lieutenant of the Tower; and then they fell afresh upon purging of the house, as they called it; 7 Lords were impeached of a new pretended Treason; the 11 members forced to fly; and, after a fortnight's debate, being often carried in the negative, (for a little liberty yet remained) at last, by a threatening Declaration from the Army, and the Swordsmen's coming into the house, all Orders past in absence of the old Speakers were repealed; some of the most active of the houses, the lord mayor, three honest aldermen, and divers common-counsellors of London, charged and imprisoned; the officers of the city altered; and all upon a general accusation for levying a new war: but indeed, really, for being zealous for the ends of the Covenant, and for defence of the privileges, yea, the being of the parliament, against the violence and insolence of this Schismatic Army.—The liberty of the Parliament was thus destroyed by their own servants, contrary to their many professions; the famous city of London enslaved to sectaries, and not only those privileges taken from them, which, by their faithfulness to the parliament, and with expence of so much blood and treasure they had merited, but even their antient liberties trodden on; and all things governed at Westminster and London according to Orders from the Court of War, who also, by a reigning spirit of levelling democracy, were or seemed to be, over-ruled by the new Supreme Council of Agitators, who had been soldiers, and now were turned superlative commanders.—As the labour of the Independent Junto was to court the people and the soldiery by Declarations and Engagements, which they as soon falsified, and even to trade with the Papists, as was informed; so they studied to interest the King's Party, and cajoled some of them to propose what was most obnoxious to the parliament, and excepted in the Propositions: but they soon manifested to the world what their intentions were to the king; for after they had made use of the detaining his majesty's Person in their Army, and of pretending for his interest and party, to enable them to subdue the parliament and city; that work being over, they first grew severer to his party, except such as they still made very good use of; and then endeavoured, by threatening, to fright him away from Hampton-Court. The power of the Levellers was much talked of, until his majesty was sure in the Isle of Wight, and then their lieut. general found a means to quiet them.—In the Isle of Wight they first made his majesty prisoner without any known authority, and then got the houses to own and order it; and, by the prevalence of the Independent Party, Votes were passed, making another kind of new high treason, viz. 'To make any Application to 'the King, to write to him, or to receive let-'ters from him.' A severity greater than is usual against malefactors. And for justifying of these Votes, a Declaration was published with many false scandals cast upon his majesty; and it is even declared, That they will put no more trust in him; yea, now we are informed, that, by horrid treachery and poison, endeavours are used to take away his life.—And as that Independent Party hath endeavoured to subvert the begun Reformation of

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Religion; to destroy the king and monarchy; overthrow the parliament; and persecute honest men; so it hath been their study, ever since the removal of the Scots Army, to break the happy union betwixt the kingdoms; to lay aside the Covenant; disappoint all the ends of it; and violate all treaties betwixt the kingdoms.—We shall not need to repeat the Jealousies they created and fomented against Scotland and the Scots Commissioners, and our Army whilst it was there; how they withheld the maintenance from them due by the Treaty, that by free Quarter they might grow burthensome and odious to the country: nor need we now to mention any violation of the Large Treaty, concerning the remainder of Money due upon the Brotherly Assistance, nor of the money due by Treaty for our Army in Ireland, or by the late treaty upon the march of our army: nor shall we now insist upon the breach of that Article of the Large Treaty, by which the houses were obliged to pursue, take, and punish the Irish rebels, subjects of the crown of England, who so long infested us.—We have already declared what Breaches they have made of the solemn Engagements for the King; and when our commissioners at London demanded Whether the Votes against all Application to his majesty did extend to his subjects of Scotland, to debar such as are warranted by the parliament of this kingdom, or their committees, from free access to, or intercourse with his majesty; or that he should be hindered from, and so made incapable of, any act of government in relation to the affairs of Scotland? no Answer was then, nor as yet is, returned thereunto; but before that time, not only such as had warrant for access to him were debarred thereof, (notwithstanding the Engagement of the house, the 27th Jan. 1647, to the contrary) but even the earl of Lauderdale, a public minister of this kingdom, contrary to that Engagement and to the law of nations, was violently removed by a party of the Army from Wooburne, where his majesty then was, and not suffered to have access to him; and though reparation was therein desired by the last Committee of Estates, yet none was given. And although, by the 8th Article of the Treaty, 1643, it is agreed, 'That no Cessation, Pacification, nor Agreement for Peace whatsoever, shall be made by either kingdom, or the 'Armies of either kingdom, without the mutual 'advice and consent of both kingdoms,' (which Engagement the houses of parliament also repeated in their Letter of the 27th Jan. 1647, to observe that Article, after the removal of our Army out of England) yet contrary thereunto, the Sectaries and their adherents framed Proposals, destructive to the ends of the Covenant, which were presented to his majesty without the advice or consent of the kingdom of Scotland; and having cunningly inserted therein some things more pleasing to his majesty than the Propositions of both kingdoms were, it was their study to persuade his majesty, in his Answer to their Propositions at Hampton-Court, to throw himself on their Proposals, and thereby unsatisfy both his kingdoms; which, as soon as the king had done, they themselves laid them aside, and used his majesty as we have before expressed.—And whereas the houses of parliament, whilst in liberty, made it their work first to disband the Army before any applications to be made to his majesty; the Independent Party, having the king within the Quarters of their Army, and the city reduced, pressed vehemently the sending of the Propositions of both kingdoms, whilst themselves were fastest trinketing with their Proposals. A short and preremptory day was set for the delivery of the Propositions, without the advice or consent of the Commissioners of the kingdom of Scotland, then at London; and Instructions given, that if the Scots Commissioners were not present that day, the Propositions should nevertheless be delivered without them: and as we have great reason to believe that it was the study of the Sectaries, and those that were their instruments in that Treaty, that his majesty should not satisfy his parliaments by his Answer; yet, upon that Answer, by the power and prevalency of that party, the parliament laid aside the Propositions agreed on by both kingdoms; and have, contrary to the Treaty, framed and presented Propositions and Bills to his majesty, against which the Commissioners of this kingdom declared; and thereafter, by order, according to their Instructions, protested against them in the Isle of Wight, as being destructive to religion, the crown, and union of the kingdoms; as may at large be seen in that printed Answer to the New Propositions, which the parliament here have owned and approved as the sense of this kingdom, and which we hold as if they were here repeated. The parliament of this kingdom taking into their consideration the dangers thus threatening Religion, his majesty's sacred person and posterity, yea monarchy and all government; how that by the injustice, violence, and treachery of the Independents, and their adherents in parliament and Army, the Covenant was laid aside; all the ends of it frustrated; toleration countenanced, and, by the new Propositions, endeavoured to be settled; his majesty imprisoned, and such height of insolences committed against him; the privileges, yea the being, of the parliament in a manner destroyed, and the foundations of it razed; the famous city of London, to which this nation and all that are faithful in this cause must needs acknowledge great obligations, enslaved; its liberties trodden on, and many of the best affected to the Covenant in parliament and city, for their fidelity, persecuted and driven away; the Treaties with, and Engagements to, this nation broken; the public faith of England, yea almost all laws, divine and human, violated; the people of England oppressed with free quarter and taxes; and the union and brotherly correspondence betwixt the kingdoms much weakened and endeavoured to be taken away: and being very

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sensible of the many injuries and affronts done to this nation, their army, and those employed by them; weighing also well how fruitless all their endeavours by way of Treaties and Messages, for curing those evils and removing those differences, had proven, and how little regard was had to our commissioners and their endeavours at London of late; they thought it high time to look to their own preservation, and to put this kingdom into a posture of arms: yet, before any further Engagement, they resolved to try if, by the three just and necessary Demands, of the 26th of April last, made to the houses of parliament, it were possible, in an amicable way, to compose those differences, and provide for the security of religion, of his majesty, and of the peace and union of the kingdoms; to the which had a satisfactory Answer been returned, all the inconveniences that may ensue might have been prevented, which we have still since that time patiently expected.—But, instead of security to Religion according to the Covenant, against the dangers on all hands; instead of freeing his majesty from his base Imprisonment, that he may come to some of his houses in or near London with honour, freedom, and safety, where both kingdoms may make their applications to him for settling Religion and a well grounded Peace; instead of disbanding the Army of Sectaries by whose power and tyranny all these evils were come upon us, and further threaten us; without taking any notice at all of what, upon so just and necessary grounds, we demanded; without any reparation made for the many injuries done to this kingdom and those employed by them, or any Answer to that demand made by our commissioners, Whether it was intended that his majesty should be debarred from exercising any act of government in relation to this kingdom? Or whether Scotsmen, employed and allowed by Scotland, might have free access to him? Instead, we say, of all these, we have received three Propositions to be presented to his majesty, that after his majesty's assent thereto, and to such acts of parliament as shall be offered by both houses for confirmation thereof, then both houses will treat with his majesty (without telling him or us where, or with what security to either) concerning the future Settlement of the government of the Church and Settlement of the Militia, and the rest of the Propositions formerly tendered at Hampton-Court; with a desire from the English commissioners residing here, for us to prepare such Propositions as we shall judge fit and necessary for this kingdom, that they may be sent to his majesty with all convenient speed. They did also communicate to us some Votes of the two houses: and the Committee of Estates told them, That they could return no Answer till first they received satisfaction to the Demands of this kingdom of the 26th of April. And these are as little satisfied; religion, the king, and his kingdoms as little secured; and the solid grounds of a religious and good Peace, as little provided for now as formerly.—We shall not much insist upon the particulars of these Three Propositions; our commissioners did, on some of them, so fully express themselves, especially that of the Militia, in their late Answer to the Propositions before they went to the Isle of Wight, which we here hold as repeated; but we cannot conceal how very unsatisfactory that concerning Religion is; and we are sorry to see other interests still so carefully provided for, and so little security to religion; which indeed was the main and principal cause of our Engagement in the late wars. In these Propositions we still find the Covenant omitted, one end of it only mentioned by way of Narrative, and the Propositions for Uniformity according to the Covenant, with all the other Propositions of Religion, left to the future treaty. And all that is now desired, is, that Presbyterial Government be confirmed by act of parliament, in such manner as both houses of parliament have agreed in several ordinances of parliament; that is to say, &c.—The Commissioners of the parliament and General Assembly of this kingdom have several times expressed their sense of these Ordinances, which we shall not here repeat: but we doubt this new *et cætera* is of a larger extent, and relates to that impious toleration, settled by both houses, so contrary to the Covenant, so destructive to the ends of it, and, for ought we know, not yet repealed; against which this kingdom hath so fully declared in the afore-mentioned Answer to the new Propositions; for it was then brought in as a part of the Proposition for settling Presbyterial Government, as the way that both the houses then agreed to. And seeing the same overawing power continues, which first brought in that toleration avowedly, we have reason to apprehend it still remains; but it is now covered and rolled up in this new *et cætera*; and we have the greater reason to be unsatisfied, in that Presbyterial Government is only demanded for 3 years; and, in the end of the Propositions, it is professed, That the houses will treat with his majesty concerning the future Settlement of the government of the church, without relating the Covenant as a rule of that government, or the Propositions formerly agreed upon by both kingdoms; but in such a general way as may overthrow all the reformation established and open a door to hierarchy or anarchy, to episcopacy, independency, and to toleration; all abjured in our solemn Covenant.—And seeing no satisfaction is given to the so just and necessary Demands of the parliament, of the 26th of April, either for Religion or the King's majesty; but that religion is still in as much hazard as ever; the king still barbarously detained in his base imprisonment, and, as we are credibly informed, daily in danger of his life by treachery and poison; and that army of Sectaries, the great cause of all our evils and dangers, still kept up, strengthened, and a great part of it now marched close to our Borders; though

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this kingdom shall never be averse from giving and receiving mutual satisfaction by Treaty, yet we cannot agree to these Propositions, nor join with the two houses in presenting of them to his majesty, whilst neither king nor parliament enjoy their liberties.—Wherefore we can no longer, as unconcerned spectators, be witnesses to the loss and ruin of all, which, by the oath of God that lies upon us in our Solemn League and Covenant, and by many other obligations, we are bound to endeavour to preserve: and the ends being now the same for which we were invited, and in prosecution whereof we have lost so much blood, did undergo so many hardships, and so much impoverished our own country; and being now engaged by the joint Declaration of both kingdoms, never to lay down arms till truth and peace be settled in this island, upon a firm foundation, for the present and future generations; being also invited thereunto by many of that kingdom joined in Covenant with us, our forces are again in England; and, in discharge of our duties to God, our native king, our own country, and our Brethren in England, we have undertaken this so necessary Engagement, in prosecution of those just, pious, and loyal ends, to which we are so solemnly sworn. And although we have not at all departed from our good old principles, and that our demands and desires are contained in our several Declarations, Papers, and Addresses this time past to the houses of parliament; yet seeing, by the malice of our enemies, many scandalous and false aspersions are cast upon us, our actions and intentions traduced, and jealousies raised in the minds of many good, though too credulous, men, both at home and abroad; for satisfaction of all that are satisfiable, and to witness the sincerity of our intentions and resolutions, we shall here repeat our most material Desires, and the Grounds of our undertakings. And, 1st, we declare before God and all the world, That we are resolved, sincerely, really, and constantly, to maintain and preserve inviolably, with the hazard of our lives and fortunes, and all that is dearest unto us, the Reformation of Religion, in doctrine, worship, discipline, and government, as it is, by the mercy of God and his majesty's goodness, established by law amongst us; and never to suffer it, by fraud or force, to be taken from us; nor yet to endure the bringing in of Episcopacy, the Book of Common Prayer, or any other of those innovations and superstitions thrown out of this kirk, as some have been so impudent to aver: and also, with the same sincerity, reality, and constancy, in our places and callings, to the uttermost of our power, faithfully to endeavour the confirming what is already done in the work of Reformation, establishing the Covenant, and attaining all the ends of it in England and Ireland, particularly Reformation of Religion, and uniformity according to the Covenant. 2. We do also declare, That we will endeavour the rescue of his majesty's Person from his base Imprisonment, that he may come with honour, freedom, and safety to some of his own houses in or near London, that the parliaments of both kingdoms may make their applications to him for obtaining his royal assent to such Desires as shall be by them presented unto him for establishing Religion, as is above expressed, and settling a well-grounded Peace; that so his majesty may live in the splendour and glory of his royal progenitors, as beseemeth his royal place and dignity; that all differences and troubles may end in mutual confidence and rejoicing; the King may enjoy the comfort of his royal consort and children, with other contentments; and we, after so great distractions and long continued sufferings, may reap the blessed fruits of truth and peace under his government: for however the late proceedures of this kingdom may have been misunderstood, yet God knows that we have never admitted of any thoughts to the prejudice of our gracious sovereign, his person, or government, to whom we pray that the Lord will grant a long and a happy reign; and that there may not want one of his seed to rule over us rightly, and to sit upon his throne, while the sun and the moon endureth. 3. That the two houses of parliament may be restored to their freedoms; that all members, who have been faithful to this cause, may freely and safely attend their charges; that the parliament, being masters of their own councils and results, they may, together with the advice and consent of the kingdom of Scotland, conclude upon a Treaty with his majesty; and all other things expedient to a thorough Settlement. 4. That the city of London, which hath expended so much in blood and treasure, may have their former Propositions, presented to the king at Oxford and Newcastle, pressed as was formerly intended. 5. That the Army of Sectaries, under the command of Thomas lord Fairfax, of Cameron, be disbanded; and none employed, either in relation to the prosecution of the war in Ireland, or the necessary garrisons and forces, but such as have or shall take the Covenant, and are well-affected to Religion and Government; that so the people of England may be eased of taxes, free Quarter, and other great impositions under which they have so long groaned. 6. And although the interest of Religion, the king, and kingdoms, and the settling of a solid Peace, be the cause of this undertaking; yet we do not doubt but due regard will be had to the concernments of Scotland, contained in our several former demands, both in relation to what is due to this kingdom and their armies here and in Ireland, as also what is necessary for the better safety, union, and government of the kingdoms.—We have now expressed the true Grounds and reasons of this Engagement, and the Ends we propose to ourselves; and we do expect that none who will not declare themselves enemies to God, the king, the parliaments, and the peace of these kingdoms, will oppose us in this so pious, so ne-

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cessary an undertaking; and therefore we hope all jealousies and misunderstandings will be laid aside; and that we shall meet with a hearty concurrence both of all the subjects of this kingdom, and of our brethren of England: and we do declare, That it shall be our endeavour to protect, in their persons and goods, all of the English nation who shall join in Covenant with us, and for prosecuting of these ends; and that we will do prejudice or use violence to none, as far as we are able, but such as oppose us, or those ends above-mentioned: particularly we should endeavour that the Arrears due to all soldiers who have served the parliament of England in this cause, excepting such as have engaged and abetted the army in their courses, and shall not immediately desert them, may have their accounts audited, part of their arrears paid, and security for the rest, with full indemnity.—And because our Army will be necessitated to live upon the country, until a regular course be taken for their maintenance, we do declare, That it shall be our care that they carry themselves soberly, and be as little burthensome as is possible; and that, before we return, we shall labour to see the northern counties satisfied for what extraordinary burdens they sustain.—To conclude: We declare before God and the world, That we resolve, by God's assistance, in all our proceedings, never to break, on our parts, the union betwixt the kingdoms, nor to incroach upon the national rights of the subjects of England, or to entrench upon their just liberties, much less is it our intention at all to make a National Engagement against the parliament and kingdom of England, but for them, whose freedom, privileges, and happiness shall ever be as dear to us as our own; and that our just Desires being provided for and secured, then immediately our Army shall depart the kingdom of England, and return peaceably home again, whereof we have twice already given real testimonies; our intentions being ever the same with our professions; resolving still to continue stedfast in the prosecution of them: for the accomplishment whereof, we shall be ready to sacrifice both our lives and fortunes. ARCH. PRIMEROSE."*

The Parliament offer an Indemnification to the Duke of Buckingham.] Both houses, about this time, passed the following Vote, "That in regard the duke of Buckingham hath not formerly borne arms against the parliament, and in regard of his youth to which his late miscarriage may be rather attributed than to any malice in opposition to the parliament, and in regard he is the only son now left* to inherit that great honour; the lords and commons do think fit to offer this favour to him, and do hereby declare that, in case the said duke of Buckingham shall come within 14 days after the publishing hereof, and render himself to the parliament, and engage never to take up arms against the parliament hereafter, that then he shall be indemnified for his late opposition made in taking up arms against the parliament"—However, the duke did not think proper to comply with the terms of this offer, but made his escape into Holland.

The Parliament recall their Commissioners in Scotland.] July 22. The commons sent up a message to acquaint the lords with a resolution they had taken to recall the members of their house that were commissioners in Scotland, that so their lordships might send for theirs if they thought fit; which they ordered accordingly.

The Prince of Wales appears on board a Fleet off Yarmouth.] July 27. The following Letter was presented to the house of lords, addressed to the committee of lords and commons at Derby-House, from the bailiffs of Yarmouth:

"Right Honourable; We received your Letter of the 20th instant, informing us of two companies by you ordered to be drawn down into our town, the one from capt. Brewster, the other from Norwich, for our defence and assistance, in case the revolted Ships should make their descent hither. Before the receipt of which letter, viz. on Saturday last at noontide, the ships were come and at an anchor in the road, to the great amazement of all the beholders; the Prince of Wales, prince Rupert, and divers lords and many gentlemen being in them.† We stood upon our defence, and forthwith addressed letters to the committee for the county of Norfolk, and to Norwich, to capt. Brewster, in Suffolk, to sir John Wentworth and others, for assistance; which very readily they gave us, and had major Jermy with his troop very active for us, and other forces provided by his excellency to be sent down unto us. We waited for some messengers or message to be sent unto us from the Prince, but none came; yet we heard, from the seamen

* Mr. Whitlocke makes the following reflection on the Scots Army's coming into England: "Here you may take notice of a strange turn in the affairs of this parliament, to which all human affairs are subject, but in these times much more than ordinary. You have read the great endeavours formerly to bring the Scots in as friends to assist the parliament; and may remember the story of their actions and return home again: now the other faction in Scotland prevailing, the Scots are turned enemies to England, and invade them with a considerable army. Before they joined with the parliament against the king, now they join with the king's forces against the parliament. How like the sea the people of the world are, still ebbing or flowing, always in an uncertain motion, and constant in nothing but inconstancy!"

* His only brother, the lord Francis Villiers, was killed in the action.

† The lords Willoughby of Parham, Wilmot, Hopton, Colepeper, and Gerard; sir Jeffrey Palmer, &c. Whitlocke, 319.

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that were on board, that his highness took great offence at some conceived discourtesies from the town; and that sending some messengers on shore to provide flesh-victuals, they were not suffered to come on shore, but driven back by the troopers; whereupon we thought fit to send two of our brethren on board the Prince, and did it this day in the morning, to satisfy his highness touching those misapprehensions; which was very well taken by him, and very good respect given to our messengers; and this only desired, that we should accommodate his highness with some small provisions for his money, (which was readily assented unto) and expressing to them that there were no designs upon this place, or for the ships to come hither, but that they were driven into the road by cross winds, going for the Downs, on Friday last, and would be gone again the first fair wind. His highness was pleased to give a fair dismission to our messengers, and the wind coming more to the West this afternoon, the ships weighed anchor and set sail, and are gone to the Downs.—Yesterday the two companies, ordered by your honours for our assistance, being sent down, we advised with sir John Wentworth, major Jermy, and Mr. Brewster, to have them drawn up, one company on the right side of the town, and the other company on the left side, without entrance into the town; which was assented unto by all parties, as being thought more convenient, and to do better service than to come in.—This is all the Account we can give your honours in these affairs, which we humbly pray may be accepted, together with our humble thanks for the great care of the safeguard and security of our town; and so relying upon your favours, with a tender of our humble duties and service, we rest, Your &c. Tho. Menthorp, Israel Ingram, Bailiffs, July 24." P. S. This inclosed Copy was delivered to our messengers that went on board, but without any desire for us to engage upon the same.

The Prince of Wales's Letter to the Lord Mayor of London.] The Paper referred to in the foregoing Letter, which is entered in the Lords Journals, contains the Heads of a Declaration from the Prince of Wales, setting forth the Reasons of his Appearance on board the Fleet; and ordered to be digested into form by the lords Willoughby of Parham, Hopton, Colepeper, and his highness's secretary: this, being printed both in Rushworth and Whitlocke, we purposely omit; in order to make way for the Declaration at large, which was, soon after, sent inclosed in the following Letter from the Prince to the lord mayor, aldermen, and common council of the city of London.*

Charles *Pr.* Right Trusty and Well-beloved, and Trusty and Well-beloved, we greet you well:

"We have endeavoured by our public Declaration, which we send you herewith, to give satisfaction to the whole kingdom of England, in the Grounds and Reasons of our present undertaking: but we think fit notwithstanding, to make a particular Address to you as the most considerable part of the kingdom; being extremely desirous that the city of London should be fully satisfied that our intentions are just and honourable, and such as we have professed in our said Declaration, for the peace and happiness of all his majesty's subjects; and we cannot despair of gaining a belief and confidence with you, when it shall appear that our actions and proceedings are conformable to our professions, and in order to those public ends and that happy Settlement of the kingdom, which we have proposed as the chief end of all our Endeavours.—And because there are divers Ships now stayed in the Downs by our order, whereof some of great value belong to members of the city of London; to prevent all misinterpretation of our intentions in that particular, we think fit to assure you, that we are so far from intending violence to the persons or goods of any of that city, or any other particular advantage therein, that our only aim and end is to procure a subsistance for the Navy under our command; that thereby we may be enabled to protect the ships, vessels, and goods, and to secure the trade, not only of the city of London, but of all other his majesty's good subjects: and being for the present utterly unable to provide for so great a charge, as having been for some years deprived as well of our own estate, as of the supplies we might have drawn from the bounty of the king our royal father, we think fit to have recourse to you; desiring you to supply us with the present sum of 20,000*l.* to be employed for the support and subsistance of the Navy now under our command.—To this end, we shall put the same into the hands of such persons, as shall render an exact Account thereof, which shall be communicated to you; and being thus furnished by you in this necessity, for which we have no other means to make provision, we shall immediately discharge all ships of merchandize, which have been stayed by our fleet, though of a far greater value than the sum we desire; shall carefully hereafter protect the ships and goods, and secure the trade and commerce of that city, which we conceive to be one of the proper and natural employments of his majesty's Navy; and for which, as for other reasons, it hath always been maintained out of the Customs paid to his majesty; out of which, as soon as it shall be in our power, we shall take care to have the said sum of 20,000*l.* repaid you. And so desiring a present supply, the pressing necessities of the Fleet admitting no delay, we bid you heartily farewell. Given under our Hand and Seal the 29th of July, in the 24th year of the reign of our Royal Father the King."

The DECLARATION of his Highness Prince CHARLES, to all his Majesty's loving

* Both these are taken from the original edition, printed by Royston.

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Subjects, concerning the Grounds and Ends of his present Engagement upon the Fleet in the Downs.

"How naturally and strongly, our particular interest inclineth us to contribute our utmost endeavours towards the settling of a well-grounded and lasting Peace, in all his majesty's dominions, is notoriously evident to every man of common understanding, that considereth the relation we have to them, as Heir Apparent to the Crown, together with the measure of our present sufferings, and the portion which we are to expect in such a happy Settlement: besides which particular consideration, we find ourself charged with a more public duty, both to the King our father in his present distress, as likewise to all his loyal subjects in this their common calamity, obliging us to lay hold on all opportunities which shall be offered us, proper to obtain this blessed Peace; that only being able to free his majesty and all his good people from their present sufferings, and to restore him and them to that happiness which the practices, power, and violence of evil men, the now enemies of peace, have bereaved them of.— This blessed Peace is that which we humbly and earnestly implore of Almighty God in our daily prayers; and which is, and shall be, the principal and ultimate end of all our councils and resolutions, and particularly of this our present undertaking; on which we beg a blessing of the God of Peace, as this our profession is real and sincere. Neither ought it to seem strange to any, that thus professing for peace, we now appear in arms, as well in person at sea, as likewise by our correspondency and commissions at land; since the malice and wicked arts of these peace-haters, against whom we now declare as public enemies to God and good men, have rendered all other endeavours to obtain the same vain and ineffectual; and thereby utterly obstructing all means of reconciliation betwixt his majesty and his people, have compelled us to this last, and indeed only, expedient that is left us: so that, being thus necessitated either to sit still as unconcerned, whilst the King our father is a close prisoner in the power of his enemies, and whilst all his good people lie miserably groaning under the cruel tyranny of fellow subjects; or, by force of arms, to endeavour to free him and them from these unheard-of outrages: as our election in this case is easily made, so ought all men to look upon us thus engaged as acting in order to that peace, and prosecuting the only means left to obtain the same.—Being thus rightly understood by those whose interest, as well as their duty, obligeth them to join with us in this good work; as we shall, in the first place, look up to Heaven for a blessing from the Lord of Hosts on this good cause, so we shall desire, and expect, the ready and cheerful assistance of the hearts and hands of all his majesty's good subjects, as opportunity, effectually to appear with and for us, shall be offered to them. And that the usual cunning arts of their and our enemies may not abuse any of them with false suggestions or misinterpretations of our proceedings, we hereby, with that candour and sincerity which becomes a Christian and a prince, declare and publish to the whole world, that the true grounds, reasons, and ends of this our engagement are these, and none other: 1. The Honour of God's holy Name, in the defence of the true Protestant Religion, and his Divine Worship, against all opposers whatsoever; and particularly against the heresies, schisms, scandalous doctrines and practices declared against in his majesty's Agreement with the Scots Commissioners, bearing date at Carisbrook Castle the 26th of Dec. last;* and the establishing of Church Government as is therein mentioned, and accorded to by his majesty, as also the mutual performance of that Agreement. 2. The restoring of his majesty to his liberty and just rights; and in order thereunto, and for the settling of a happy Peace, a speedy Personal Treaty with his majesty, with honour, freedom, and safety. 3. The support and defence of the known Laws of the kingdom. 4. The maintenance of the Freedom and just Privileges of Parliament. 5. The defence of the Liberty and Property of the subject against all violence, rapine, and oppression; such as Excise, Contribution, Free-quarter, and all other illegal Taxes. 6. The obtaining of such an Act of Oblivion and Indemnity as may most firmly bind up the bond of peace. 7. The speedy Disbanding of all Armies, and particularly that under the command of the Lord Fairfax. 8. The defence of the honour of the English nation, and his majesty's Rights in the Narrow Seas; the protection and security of the Trade of all his majesty's loyal subjects; the support of the Navy Royal, and the encouragement of all the officers and mariners of the same, to whose exemplary courage, conduct and good affections, we owe this present opportunity, with them, thus to appear for peace.—And now, having thus fully and sincerely declared our Intentions and Resolutions, we earnestly invite, and (by the authority as well inherent in our person during his majesty's restraint, as also derived particularly and formally from him, under the Great Seal of England) do require and command, all his majesty's loyal subjects heartily to join and associate themselves with us in this our undertaking; and, with force of Arms under us, as likewise by all other good means in their power, to oppose and resist all such persons and forces, as well by land as sea, as shall oppose us and this blessed peace: as likewise to be aiding and assisting to all such as are now in arms against those enemies of peace; and particularly to encourage, aid, and relieve, as friends and brethren, the Scots Army, now on their march for his majesty's rescue; of

* The motives to the King's signing this Agreement, and the Articles thereof, may be seen in lord Clarendon, vol. 5. p. 101.

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whose loyalty to his majesty, and good affections to the kingdom of England, we are fully satisfied. And we more especially exhort the city of London and the port-towns of England, upon whose actions the eyes of the whole kingdom are particularly fixed, by their good example, to encourage all the people of England manfully to shake off the heavy yoke now imposed on them by force of arms, as on a conquered nation; and instead of that lawless power which now depriveth them of the security of their persons, and the property of their goods and estates, to vindicate the just rights of free-born subjects of England, in seeking their protection under the government of their undoubted sovereign lord our royal father, and the law of the land.—Upon these foundations, by the blessing of God on the chearful and effectual concurrence of the now undeceived people of England, we shall yet hope for such a speedy conclusion of the present distractions, as may prevent the further unnatural effusion of Christian and English blood, and the miseries of a new war: to which end, that all prejudices whatsoever, so far as possibly shall be in our power, may be removed, we further declare, That we shall not only willingly decline the unpleasing memory of all that is past, so far as may concern any, who, upon this our invitation, shall return to their duty; but shall very particularly accept of, and esteem the persons and assistance of those howsoever formerly misled, which shall now join with us: and, in particular, we hereby promise, that all such officers and soldiers in the lord Fairfax's Army, without exception; as likewise all such officers and seamen with the earl of Warwick (of the good affections of most of whom we are well assured) as shall, upon the first proper opportunity, quit that their Engagement, shall be fully satisfied of their Pay and Arrears due unto them, with assurance of such Indemnity as they shall propound, and shall be safely received into our protection and care.—In the last place; we shall desire, that no interested persons will misinterpret the present stop of any vessels, or merchandizes, now made by us here in the Downs; our intention not being to break bulk, or alter the property of the owner thereof, except we shall be compelled thereunto by the refusal of such reasonable and necessary support for our Navy as may enable them and us to subsist, and proceed in our present undertaking. Which demand of ours, herewith sent to the city of London, we hope no man will think unreasonable who considers, that, by the laws of the land and practice of all times, the Customs and Sea-Duties have been granted, and ought to be employed, for the maintenance of the king's Navy, as the proper and natural provision for the same.—And now, for conclusion of what we have to say, we conjure all the good subjects of England, by the duty they owe to God and man, and by all that is precious to themselves, that they be not discouraged in their attempt to free the nation from the tyranny they live under; by obtaining, maugre all opposition, this blessed Peace (it being visible to all men, and confessed even by those that live upon the spoil of the people, that nothing but a speedy peace can preserve the kingdom from utter ruin); but, on the contrary, that they join and associate themselves as one man, against the power and practices of all persons whatsoever, who, under specious pretences, propose to themselves their particular ambitious ends in the change of the happy government of England; which, if not thus prevented, will necessitate not only the continuance of the present miseries, but will entail the same to posterity, and kindle a bloody war for many generations to come; which God of his mercy avert."

List of the Ships which had joined the Prince.] Annexed to this Declaration and Letter was a List of the Ships which had joined the Prince, viz.

Ships Names.	*Tons.*	*Guns.*	*Men.*
Constant Reformation	850	50	260
Convertine	650	40	170
Swallow	650	36	160
Antelope	600	36	160
Satisfaction	300	28	100
Constant Warwick	250	24	90
Blackmoor Lady	180	18	80
Crescent	80	15	70
Roebuck	70	15	60
Pelican	60	12	50
	3690	274	1200

Both Houses order the Earl of Warwick to fight with the revolted Part of the Fleet.] July 28. These revolted Ships had perplexed the parliament very much. Some Orders had been made to allow time for them to come in, and their whole Arrears to be paid them: all which having no effect, the commons sent up to the lords the following Vote for their concurrence: "That the earl of Warwick, lord-high-admiral of England, be authorized and required to fight with the revolted Ships; or any person or persons, of any condition or quality whatsoever, that shall be upon the said Ships; or shall join with them; or shall any way oppose the power and authority of parliament."

The earl of Pembroke having expressed great earnestness in favour of this Resolution of the commons, the earl of Lincoln stood up * and desired the lords to consider, that the Prince of Wales was on board one of the revolted ships, and he hoped that noble peer would not have a commission granted so at large as to kill the Prince. To which the earl of Pembroke answered with great warmth, 'That he loved the Prince as well as himself; and if he were out of the house he would call the earl of Middlesex to account for his words.' To this the latter replied, 'He knew not what spirit might be in the earl of Pembroke now he was an old man, but that he was sure his lordship was of another

* Mercurius Pragmaticus, No. 18.

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temper when he was young.'—At length, the question being put for concurring with the commons in giving power to the lord-Admiral as proposed, it passed in the affirmative; but the earls of Rutland, Suffolk, Lincoln, Middlesex, and the lord Hunsdon, entered their dissent.

Both Houses agree to a Personal Treaty with the King in the Isle of Wight.] The same day, the commons took into consideration the Manner of settling a Peace with the King; and the question being put to adhere to their former Vote, "That the King should assent to the three Propositions previous to a Treaty," it passed in the negative by 71 against 64. Then it was resolved, "That a Treaty be had in the Isle of Wight, with the King in person, by a committee appointed by both houses, upon all the Propositions presented to him at Hampton-Court, and for the taking away of Wards and Liveries, for settling a safe and well-grounded Peace." But it being moved, to add these words 'and not elsewhere,' the Yeas and Noes were each 57. Whereupon the Speaker turned the scale by giving his Vote against the Addition proposed. A remarkable instance of the equality of the Presbyterian and Independent parties at this juncture.

July 29. The foregoing Vote being sent up to the lords, they not only agreed to it, but also sent a Message to the other house to desire, "That the Committee for Peace might meet the next day, to consider of all the circumstances necessary for the safe and speedy carrying on this Treaty with the King; in particular, That his majesty might be, with honour, freedom, and safety, in such place in the Isle of Wight as he should make choice of; and also concerning the time when the said Treaty should begin." To both which desires the commons agreed.

Sir John Maynard's Speech in favour of Colonel John Lilburne, Prisoner in the Tower.] We shall conclude our account of the proceedings of this month with a Speech made by sir John Maynard, (one of the Eleven Members accused by the Army, and lately restored to his seat in the house) on behalf of the famous colonel John Lilburne, of whom frequent notice has been taken in this parliament. The last mention we made of him was in July 1646, (p. 493) when he was sentenced by the house of lords to pay a Fine of 4000*l.* and to be committed to the Tower for 7 years, where he had continued prisoner ever since, although many attempts had been made in parliament for his release.

Sir *John Maynard** spoke thus: "Mr. Speaker; We are called hither as trustees and representatives of the people; and it is our duty to represent to you the Grievances of any which are injured or oppressed: to be as careful of them as ourselves, being the essential part of our privileges. The law of the land is every Englishman's birth-right; and you are the conservators of the law, in which are wrapped up our lives, liberties and estates.—Mr. Speaker: without any further preamble or introduction, I shall acquaint you briefly with the sufferings of lieut. col. John Lilburne, who hath been imprisoned two years illegally by the lords, who by law have no jurisdiction over commoners, in criminal cases, against their wills. About 4 years since, there was a great falling out betwixt lieut. col. Lilburne, and col. King, his officer; both faithful men to your service, and of high spirits, fierce and resolute: the difference grew to such a height, that lieut. col. Lilburne complained to his commander in chief, the earl of Manchester, that col. King had betrayed Crowland, &c. and humbly besought his lordship to call a council of war, and he would make good his accusation. The earl of Manchester, hoping to compose the difference, put it off, and lieut. col. Lilburne persisted; but, seeing justice delayed, he came to London, and divulged abroad that col. King was a traitor to his trust; whereupon col. King sued him, at common-law, in an action of 2000*l.* and lieut. col. Lilburne applied himself to the house of commons, praying that the whole business might be heard and tried at a Council of War, by that Ordinance which was established in the earl of Essex's Articles, they being both soldiers, and having subjected themselves to the law martial: for lieut. col. Lilburne knew, by the letter of the common law, he was gone, it being treason by the common law to hold a fort or castle against the king.—It seems this business depended before Judge Reeves, who was a faithful worthy judge, and never deserted the parliament, but adhered when we were in the lowest condition: but lieut. col. Lilburne, being young and hot, wrote a letter to Judge Reeves, wherein he expressed himself in acrimonious language, which had better been forborne; and, in a satirical way, shewed how he was hardly dealt withal both by him and the earl of Manchester; and spake truth in sharp language, viz. 'That the Judges took many extraordinary 'fees which they could not justify by law; 'that the proceedings in their courts were so 'irregular, that no man knew where to find 'them; and that the earl of Manchester had 'delayed him justice, &c.' Hereupon he was convened before the lords. The earl of Manchester, being Speaker of the house of peers, pro tempore, asked lieut. col. Lilburne, Whether he did not deliver to Judge Reeves such a scandalous Paper? lieut. col. Lilburne answered, That his lordship was judge and party in his own cause; that he was in England and not in Spain; and the quære put unto him was like the oath ex officio, which proceedings they themselves had condemned as tyrannical and unjust, a little before in his own case: that by law no man ought to be asked such an ensnaring question, whereby he might condemn himself; that if he had offended, the law was open; and therefore he appealed to the house

* London, printed for J. Harris. Aug. 11, 1648.

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of commons, as his competent judges, being his peers and equals; and then delivered his protest against their jurisdiction: whereupon he was commanded to withdraw, and committed to prison for so protesting.—Not long after he was sent for a second time before the lords, and commanded to kneel, which he absolutely refused, as a subjection to their jurisdiction; so they remanded him to prison to be kept close, not suffering wife, child, or any other friend to come to him for the space of 3 weeks; nor allowing him to enjoy the benefit of pen, ink, or paper. After 3 weeks imprisonment, he was again forced before the lords, into whose house he went with his hat on his head; and, being there, refused to hear his Charge read: this was rashly done; but you know, Mr. Speaker, what Solomon saith, 'oppression will make a wise man mad.' After lieut. col. Lilburne had made this one fault, (for I conceive he had committed none before, but that the injustice rested upon the lords) he was fined 4000*l.* for his contempt, and 7 years imprisonment. Upon the whole matter I beseech you judge in point of law and equity, Whether this was not like a Council-Table or Star-Chamber sentence? and I pray observe likewise the Warrant, which the judges confessed was illegal when lieut. col. Lilburne pleaded upon his Habeas Corpus.—I shall acquaint you with some precedents, where you have relieved commoners committed by the lords, and fined in this parliament, in the like case. Col. King having a difference with the lord Willoughby of Parham, the lords took upon them to hear the cause against col. King's will; they fined him 500*l.* and committed him to the Fleet. Colonel King appealed to the house of commons, and shewed that the lords had no jurisdiction over him; and so he was released by the house of commons, and the fine discharged. —Captain Massey, under the command of colonel Mainwaring, being one of the guards who had opened the Commissioners of Scotland's packets, being for the same committed to the Fleet, the house of commons released him; and inclined to have rewarded him. The case was the same with this, and the like proceedings, as to Mr. William Larner, bookseller, his brother, and his maid.—But that which is most observable is, that Mr. Richard Overton, who affronted the lords more than lieut. col. Lilburne, by protesting to their faces against them, at his first coming before them; and afterwards appealed to the house of commons, and all the commons of England, and particularly to the General and whole Army; yet notwithstanding, the lords approved of his Protestation, by their releasing him out of prison, without stooping to them: but lieut. col. Lilburne hath lain 2 years, and above, in prison; and all his estate kept from him, to the hazard of starving him, his wife, and children.—Mr. Speaker: you have formerly heard the report at large made by Mr. Maynard; and thereupon you gave him his liberty to follow his affairs, though you did not absolutely determine the business: but such is his misfortune, that he is since committed by a warrant of this house, upon the single information of one Mr. Masterson, a minister, who was not sworn: and truly, Mr. Speaker, I conceive it one of his greatest sins and errors that he hath committed, viz. His idolizing this house; for he believes that you are the Supreme Authority, and the Chief Judicatory, in representing the people, from whom all power is derived; according to that maxim, 'Quicquid efficit tale, est magis tale:' But I have shewed him the contrary, as you may find it in the first of Henry 4. Mem. 14. No 79. where the commons made their Protestation, 'That they had no Jurisdiction but in making 'of Laws, and Money Matters, as granting 'Subsidies, &c."* And truly I conceive it not honourable nor just, that we, that are legislators, should be Administrators or executioners of justice; but to leave these petty things to the constables, justices, and judges, whom we may call to question, and punish if there be occasion.—Mr. Speaker: I dare not speak against your warrant for what is past; but I pray observe, it is a prison door with two locks and bolts upon it; so that it is impossible the prisoner should ever get out, but die in prison. Lieut. col. Lilburne is committed in order to his trial at law, and yet is debarred all law; for, upon his pleading, when he had brought his Habeas Corpus, the judges confessed the warrant to be illegal, and yet they durst not release him: Secondly, The Cause is general, which is nothing in law, viz. 'For treasonable and seditious Practices, &c.' But sir Edw. Coke tells us the particular treason is to be expressed; and that which is worst of all, the Word of God doth not warrant it: for Festus, the pagan and corrupt judge, who expected a bribe from poor Paul, would not send him to Cæsar without specifying the cause in his Mittimus.—It is not in the power of parliaments to make a law against the law of God, nature, or necessary reason; and it was the chief cause why Empson and Dudley, those favourites and privy counsellors to Henry 7, were beheaded; as it appears in the indictment, which you may read in the 4th Institute, under the chapter, 'Court of Wards,' for subverting the fundamental laws of the land: they had an act of parliament for their indemnity, as 11 Henry 7, wherein the judges were authorized to proceed by information, whereas by law it should have been by indictment; and they were to judge by discretion; which was contrary to law, for it ought to have been by Juries of 12 men.—I beseech you, for the time to come, that we commit none but our own members; and that we avoid these old Council Table Warrants, which run in generals, 'during pleasure;' which was the cause of that excellent law, got with so much difficulty, called 'The Petition of Right:' That 'for abolishing the Star-Chamber, and re-

* See vol. 1. p. 281.

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gulating the Council-Table,' is not inferior to it.—I pray let us remember, and apply it to ourselves, how dangerous and fatal it hath ever been for kings to extend and stretch their prerogatives above, and beyond law; for the same fate befell the Council-Table, Star-Chamber, and High Commission. I pray let us keep ourselves within our sphere, and not make our privileges, Entia transcendentia, which are not to be found in any predicament of Law.—As touching generals, I pray remember what you yourselves declared, in Answer to the king, in the case of the lord Kimbolton and the five Members accused; and alderman Pennington, alderman Foulk, col. Ven, and col. Manwaring, viz. "That it is against the rules of justice that any man should be imprisoned upon a general Charge, when no particulars are proved against him."—But leaving that, I shall acquaint you what this brave invincible spirit hath suffered and done for you; he was persecuted by the Bishops; had 500 stripes with knotted cords, from the Fleet to Westminster; there he was pillored and gagged; lay long in a nasty close prison in irons, without pen, ink, or paper, or any company: alas! I cannot remember half his sufferings. all this was in his youth, when but about 20 years of age; from which murdering imprisonment this parliament set him free, with Dr. Bastwick, &c.—Shortly after he was questioned for his life at the lords bar, for asserting the privileges of parliaments, and was accused, by a single witness, of treason; but he was cleared by other witnesses, and discharged by the lords. When the parliament was about to be forced, he fought with the Cavaliers, and brought many friends to assist in the Court of Requests. He was one of the first that took up arms, and behaved himself bravely at Keinton, where he kept the Field all night. Afterwards, he fought stoutly at Brentford, but was taken prisoner; used cruelly, got a pestilential fever in the Castle of Oxford, and was arraigned for his life before sir Robert Heath and sir Tho. Gardiner: there he asserted the parliament's cause, having the Observator without book; and spake more for us than many of us are able to speak for ourselves. He relieved with money, and held up the spirits of his fellow-prisoners. He resisted strong temptations from several lords, who offered him great preferment. He was an eminent actor in that famous Battle in Marston-Moor; took Tickhill Castle with only 4 troops of dragoons; and, for his pains, had like to have been hanged. You must pardon me for injuring him, for I am not able to remember half his services to the public. For all his sufferings and actings for you, I beseech you, 1. Take off the mark of your own displeasure, which wounds him to the heart. 2. Discharge him from the lords imprisonment. 3. Pay him his Arrears; and pass the Order into an Ordinance for 2000*l.* out of the estates of those which gave that wicked, cruel, bloody, and tyrannical judgment against him in the Star-Chamber. These are your own expressions in your Vote of May 5, 1641.*—Mr. Speaker, I have forgot one material thing, which is this: You have allowed lieut. col. Lilburne 40s. a week, but he hath not received one penny; neither is he in any hope of it, for he cannot flatter, or comply; besides this supposed gift of yours hath almost starved him, for his friends in the country, thinking he had received it, have thereupon withdrawn their benevolence; and he and his family are thereby exposed to want and misery."

In consequence of which he is discharged.] August 1. This Argument of sir John Maynard, in favour of col. Lilburne, was followed by a Petition signed by a great number of eminent citizens, and presented to the commons: but this we omit, all the allegations thereof being comprised in the foregoing Speech; observing only, that after the petitioners were withdrawn, the house passed the following Resolutions: 1. "That the Order of Restraint of lieut. col. Lilburne, be taken off and discharged. 2. That a message be sent to the lords, expressly to recommend him, and to desire them to take off their hand of restraint from him. 3. That it be referred to a committee to consider how he may have satisfaction and allowance for his sufferings, as was formerly intended to him by this house. 4. That it be recommitted to the Committee of Accounts to state and audit his Accounts. And 5. That a conference be desired with the lords for his enlargement."—These Resolutions were carried up the next day to the lords; whereupon they immediately made an order for his Discharge, and for taking off the Fine and Sentence imposed upon him by their lordships.

A Committee appointed to wait upon the King, with the Votes for a Personal Treaty.] Aug. 2. The lords sent a Message to the commons, signifying, That they had nominated the earl of Middlesex, and desiring the other house to add two of their members to wait on his majesty, as a Committee from both houses, with all convenient speed, to acquaint him with their Resolutions concerning a Personal Treaty. This Message being taken into consideration by the commons, they proceeded to nominate two members of their house to be Commissioners to wait on the king. Mr. Bulkley was proposed and agreed upon for one without opposition. The Presbyterian Party having named Mr. Povey to be the second, the Independents proposed sir James Harrington, who had formerly been a servant of the crown; but he was excepted against by sir Harbottle Grimston, who said, 'He was sorry it should be his lot to speak against any member of the house in particular; but that he conceived sir James Harrington a very unfit man to present a Message to the King, because he did remember, and his majesty was since informed, That when a motion was made heretofore, in the house, for an Impeachment

* See vol. ii, page 784.

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to be drawn up against the King, he was the only man that did second it; and consequently could be no welcome messenger to his majesty: he therefore desired the house to pitch upon some other.' This was zealously opposed by Mr. Gurdon, who said, It was maliciously done to except against any man for delivering of his conscience, which was no just ground of exception: to this it was answered, That the exception against sir James was agreeable to former proceedings in the house; as an instance of which, when a motion was made, some time ago, for sending Mr. Fiennes as one of the Commissioners into Scotland, it was over-ruled, because that gentleman was the penman of a Declaration against the Scots. But it being replied, That the house was not to regard the sending to the king such men as were acceptable to him, because he was in the condition of an enemy; to this it was smartly returned, 'That the parliament had not yet declared the king an enemy, therefore it was not fit for any particular person to do so, and that the parliament could not declare the king an enemy, because they had taken a Covenant to maintain his honour and defend his person.' At length, to put an end to the dispute, sir James Harrington and Mr. Povey were both laid aside; and sir John Hippesley was appointed to join with Mr. Bulkley and the Earl of Middlesex, in this embassy from both houses to the king.

Their Instructions.] Aug. 3. The commons sent up a copy of Instructions which they had passed, for the Commissioners who were to go to the king; which the lords, on perusal, agreed to, viz. 1. "You, or any two of you, whereof one to be a lord, shall, with all speed, repair unto his majesty at the castle of Carisbrook, in the Isle of Wight. 2. You shall present unto his majesty the Resolutions of both houses concerning a Personal Treaty to be had with him in that Island. 3. To desire his majesty's speedy Answer to the said Resolutions. 4. To acquaint him that you had only ten days allotted for going, stay, and return. 5. That in case his majesty desires to see the Propositions that were presented him at Hampton-Court, to give him a copy thereof."—Ordered, That 100*l.* be allowed for the Charges of this Expedition.

Major Huntington's Charge of High-Treason against lieut. general Cromwell.] This day, major Huntington, of lieut. general Cromwell's own regiment, who had lately resigned his post in the Army, presented to the house of lords a Narrative of his Reasons for so doing; in which he charged Cromwell with carrying on a private negotiation with the King, under pretence of restoring him to his rights, but, in fact, designing to destroy his majesty and the whole royal family, and to overturn both houses of parliament, in order to his own advancement. The lords received this Narrative very favourably, and ordered it a reading in their house. The major had also endeavoured to lay it before the commons, but could not prevail upon any member to present it: not discouraged at this, he sent it inclosed to the Speaker himself, who not communicating it to the house as desired, he tendered it to Mr. Birkhead, the serjeant at arms, who also refused to meddle with it: however, some days after, the lords sent down the Narrative to the commons; but the lord Wharton followed the messengers into the lobby, sent for the serjeant at arms, and desired him to give notice to the Speaker of what was coming, who contrived means to prevent those messengers from being called in. All these circumstances seem to account for the absolute silence of the Commons Journals upon this subject. Mr. Whitlocke * and Mr. Rushworth † take notice of major Huntington's presenting to the house of lords his Reasons for leaving the Army, which the latter styles a 'Narrative of pretended carriages of lieut. gen. Cromwell;' though they both agree with the Journalists ‡ of the times, That the major made oath before the lords that what he had affirmed in this Charge, as of his own knowledge, was true; and what upon hearsay, he believed, would be attested; whereupon their lordships ordered him to attend their house, and granted him their protection.—Notwithstanding all this, nothing was done in the business, which is thus accounted for by general Ludlow,§ who writes "That the malevolent spirit, which now threatened the parliament from the north, prevailed with them to discountenance a Charge of High Treason framed by major Huntington, with the advice of some members of both houses, against lieut. gen. Cromwell, for endeavouring, by betraying the king, parliament, and army, to advance himself; it being manifest that the preferring that accusation at this time, was principally designed to take him off from his command; and thereby to weaken the Army, that their enemies might be better enabled to prevail against them."—Major Huntington finding, by all these obstructions thrown in his way, that it was impossible to prevail upon the house of commons to admit his accusation against Cromwell, resolved to appeal to the people; and accordingly published his Narrative with his name subscribed to it. Two editions of it were printed on the same day. It is entered in the lords Journals, as follows:

Sundry REASONS inducing Major Robert Huntington to lay down his Commission, humbly presented to the Honourable Houses of Parliament.

"Having taken up arms in defence of the authority and power of king and parliament, under the command of the lord Grey of Werke and the earl of Manchester, during their several employments with the forces of the Eastern

* Memorials, p. 321.

† Collections, vol. vii, p. 1214, 1221.

‡ Mercurius Pragmaticus, No. 19. Moderate Intelligencer, No. 177.

§ Memoirs, vol. i. p. 253.

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Association; and, at the modelling of this Army under the present lord-general, having been appointed, by the honourable houses of parliament, major to the now regiment of lieut. gen. Cromwell; in each of which employments I have served constantly and faithfully, answerable to the trust reposed in me: and having lately quit the said employment, and laid down my commission, I hold myself tied, both in duty and conscience, to render the true reason thereof, which, in general, is briefly this: Because the principles, designs, and actions of those officers, which have a great influence upon the Army, are, as I conceive, very repugnant and destructive to the honour and safety of the parliament and kingdom, from whom they derive their authority. The particulars thereof, being a Breviate of my sad Observations, will appear in the following Narrative:—First, That upon the Orders of parliament for disbanding this Army, lieut. gen. Cromwell and commissary general Ireton were sent commissioners to Walden, to reduce the Army to their obedience, yet more especially in order to the present supply of forces for the service of Ireland: but they, contrary to the trust reposed in them, very much hindered that service, not only by discountenancing those that were obedient and willing, but also by giving encouragement to the unwilling and disobedient; declaring that there had lately been much cruelty and injustice in the parliament's proceedings against them, meaning the Army. And commissary-general Ireton, in further pursuance thereof, framed those Papers and Writings then sent from the Army to the parliament and kingdom; saying also to the Agitators, That it was lawful and fit for us to deny Disbanding, till we had received equal and just satisfaction for our past service: lieut. gen. Cromwell further adding, That we were in a double capacity, as soldiers and as commoners; and having our pay as soldiers, we had something else to stand upon as commoners. And when, upon the rendezvous at Triploe-Heath, the commissioners of parliament, according to their orders, acquainted every regiment with what the parliament had already done, and would further do, in order to the Desires of the Army; the soldiery being before prepared, and notwithstanding any thing that could be said or offered by the commissioners, still cried out for 'Justice, Justice.'—And for the effecting of their further purposes, advice was given by lieut. general Cromwell and commissary-general Ireton, to remove the King's Person from Holdenby, or to secure him there by other guards than those appointed by the commissioners of parliament: This was thought most fit to be carried on by the private soldiery of the Army, and promoted by the Agitators of each regiment; whose first business was to secure the garrison of Oxford, with the guns and ammunition there, and from thence to march to Holdenby, in prosecution of the former advice, which was accordingly acted by cornet Joyce; who, when he had done the business, sent a Letter to the General then at Keinton, acquainting his excellency that the king was on his march towards Newmarket. The General being troubled thereat, told commissary-general Ireton that he did not like it; demanding, withal, who gave those orders. He replied, That he gave orders only for securing the King there, and not for taking him away from thence. Lieut. general Cromwell, coming then from London, said, That if this had not been done, the king would have been fetched away by order of parliament; or else colonel Graves, by the advice of the commissioners, would have carried him to London, throwing themselves upon the favour of parliament for that service. The same day cornet Joyce being told that the General was displeased with him for bringing the king from Holdenby; he answered, That lieut. general Cromwell gave him orders at London to do what he had done, both there and at Oxford. —The person of the King being now in the power of the Army, the business of lieut. general Cromwell was to court his majesty, both by members of the army, and several gentlemen formerly in the king's service, into a good opinion and belief of the proceedings of the Army, as also into a dissatisfaction and dislike of the proceedings of the parliament; pretending to shew that his majesty's interest would far better suit with the principles of independency than of Presbytery: and when the king did alledge, as many times he did, that the power of Parliament was the power by which we fought, lieut. general Cromwell would reply, That we were not only soldiers but commoners; promising that the Army would be for the king in the settlement of his whole business, if the king and his party would sit still, and not declare, nor act, against the Army, but give them leave only to manage the present business in hand.—That when the King was at Newmarket, the parliament thought fit to send to his majesty, humbly desiring that, in order to his safety, and their Addresses for a speedy Settlement, he would be pleased to come to Richmond: but, contrary hereunto, a Resolution was taken by the aforesaid Officers of the Army, that if the king could not be diverted by persuasion, (to which his majesty was very opposite) that then they would stop him by force at Royston, where his majesty was to lodge the first night; keeping accordingly continual guards upon him, against any power that should be sent by order of parliament to take him from us. And to this purpose out-guards were also kept to prevent his escape from us, with the commissioners, of whom we had special orders given to be careful; for that they did daily shew a dislike to the present proceedings of the Army against the parliament, and that the King was most conversant and private in discourse with them: his majesty saying, 'That if any man should 'hinder his going, now his houses had desired 'him upon his late Message of the 12th of 'May 1647, it should be done by force, and

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'by laying hold of his bridle; which if any 'man were so bold to do, he would endeavour 'to make it his last:' But, contrary to his majesty's expectation, the next morning, when the king and the officers of the Army were putting this to an issue, came the Votes of both houses to the king, of their compliance with that which the Army formerly desired. After this his majesty did incline to hearken to the Desires of the Army, and not before: whereupon, at Caversham, the king was continually solicited, by messengers from lieut. general Cromwell and commissary-general Ireton, proffering any thing his majesty should desire, as revenues, chaplains, wife, children, servants of his own, visitation of friends, access of letters; and (by commissary-general Ireton) that his negative voice should not be meddled withal; and that he had convinced those that reasoned against it at the General Council of the Army: and all this they would do, that his majesty might the better see into all our actions, and know our principles, which lead us to give him all those things out of conscience; for that we were not a people hating his majesty's person or monarchical government; but that we liked it as the best, and that by this king: saying also, That they did hold it a very unreasonable thing for the parliament to abridge him of them; often promising, that if his majesty would sit still and not act against them, they would, in the first place restore him to all these; and, upon the settlement of our own just rights and liberties, make him the most glorious prince in Christendom: that to this purpose they were making several Proposals for a Settlement, to be offered to the commissioners of parliament, then sent down to the Army, which should be as bounds for our party as to the king's business; and that his majesty should be at liberty to get as much of those abated as he could, for that many things therein were proposed only to give satisfaction to others which were our friends; promising the king, that at the same time the commissioners of parliament should see the Proposals, and his majesty should have a copy of them also; pretending to carry a very equal hand between king and parliament, in order to the Settlement of the kingdom by him; which, besides their own judgment and conscience, they did see a necessity of as to the people: commissary general Ireton further saying, That what was offered in these Proposals should be so just and reasonable, that if there were but six men in the kingdom that would fight to make them good, he would make the seventh against any power that should oppose them.—The headquarters being removed from Reading to Bedford, and his majesty to Woborne, the Proposals were given to me by commissary-general Ireton to present to the King, which his majesty having read, told me, He would never treat with the Parliament or Army upon those Proposals, as he was then minded: but the next day, his majesty understanding that a force was put upon the houses of parliament by a tumult, sent for me again, and said to me, 'Go along with sir John Berkeley to 'the General and lieut. general; and tell them 'that, to avoid a new war, I will now treat 'with them upon their Proposals, or any 'thing else, in order to a Peace; only let me 'be saved in honour and conscience.' Sir John Berkeley falling sick by the way, I delivered this message to the lieut. general and commissary-general Ireton, who advised me not to acquaint the general with it, till 10 or 12 officers of the Army were met together at the General's quarters; and then they would bethink themselves of some persons to be sent to the king about it; and accordingly commissary general Ireton, col. Rainsborough, col. Hammond, and col. Rich, attended the King at Woborne for three hours together, debating the whole business with the king upon the Proposals; upon which debate many of the most material things the king disliked were afterwards struck out, and many other things much abated by promises; whereupon his majesty was pretty well satisfied. —Within a day or two after his majesty removed to Stoke, and there calling for me, told me, He feared an engagement between the city and the Army; saying, He had not time to write any thing under his hand, but would send it to the General after me; commanding me to tell commissary general Ireton, with whom he had formerly treated upon the Proposals, That he would wholly throw himself upon us, and trust us for a Settlement of the kingdom as we had promised; saying, If we proved honest men, we should without question, make the kingdom happy, and save much shedding of blood. This Mesage from his majesty I delivered to commissary-general Ireton at Colebrook, who seemed to receive it with joy; saying, That we should be the veriest knaves that ever lived, if in every thing we made not good what we had promised; because the king, by his not declaring against us, had given us great advantage against our adversaries.—After our marching through London with the Army, his majesty being at Hampton-Court, lieut. gen. Cromwell and commissary-general Ireton, sent the king word several times, That the reason why they made no more haste in the business, was because that party which did then sit in the house, while Pelham was Speaker, did much obstruct the business, so that they could not carry it on at present: the lieut. general often saying, Really they should be pulled out by the ears; and, to that purpose caused a regiment of horse to rendezvous at Hyde-Park to have put that in execution, as he himself expressed, had it not been carried by vote in the house that day as he desired. The day before the parliament voted, once more, the sending of Propositions of both kingdoms to the King by the commissioners of each kingdom at Hampton-Court, commissary-general Ireton bad me tell the king, That such a thing

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was to be done to-morrow in the house; but his majesty need not be troubled at it, for that they intended it to no other end, but to make good some promises of the parliament, which the Scots nation expected performance of: and that it was not expected, or desired, his majesty should either sign them or treat upon them; for which there should be no advantage taken against the king. Upon the delivery of which Message his majesty replied, That he knew not what Answer to give to please all without a Treaty.—Next day after this Vote passed, the lieut. general asking me thereupon, If the king did not wonder at these Votes? I told him, No; for that commissary-general Ireton had sent a Message by me, the day before the Vote passed, to signify the reason of it. The lieut. general replied, That really it was the truth; and that we, speaking of the parliament, intended nothing else by it but to satisfy the Scots, who otherwise might be troublesome. And the lieut. general and commissary-general enquiring after his majesty's Answer to the Propositions, and what it would be, it was shewed them both privately in a garden-house in Putney, and in some part amended to their own mind. But, before this, the King doubting what Answer to give, sent me to lieut. general Cromwell, as unsatisfied with the proceedings of the Army, fearing they intended not to make good what they had promised; and the rather because his majesty understood that lieut. general Cromwell and commissary-general Ireton agreed with the rest of the house in some late Votes that opposed the Proposals of the Army: they severally replied, That they would not have his majesty mistrust them, for that since the house would go so high, they only concurred with them, that their unreasonableness might the better appear to the kingdom: and the lieut. general bad me further assure the king, That if the Army remained an Army, his majesty should trust the Proposals, with what was promised, to be the worst of his conditions which should be made for him; and then striking his hand on his breast, in his chamber at Putney, bad me tell the king, he might rest confident and assured of it: and many times the same Message hath been sent to the king from them both; but with this Addition from commissary-general Ireton, that they would purge and purge, and never leave purging, the houses, till they had made them of such a temper as should do his majesty's business: and rather than they should fall short of what was promised, he would join with French, Spaniard, Cavalier, or any that would join with him, to force them to it. Upon delivery of which Message the king made Answer, That if they did so, they would do more than He durst do.—After this the delay of the Settlement of the Kingdom was excused, upon the commotions of col. Marten and col. Rainsborough, with their adherents; the lieut. general saying, That speedy course must be taken for outing them, the house and army, because they were now putting the Army into a mutiny, by having a hand in publishing several printed Papers, calling themselves the Agents of five Regiments, and in the Agreement of the People, although some men had encouragement from lieut. general Cromwell for the prosecution of those Papers; and he being further pressed to shew himself in it, desired to be excused for the present, for that he might shew himself hereafter for their better advantage; though, in the company of those men which were of different judgments, he would often say, That these people were a giddy-headed party, and that there was no trust nor truth in them; and to that purpose wrote a Letter to col. Whaley the day the king went from Hampton-Court, intimating doubtfully that his majesty's person was in danger by them, and that he should keep out-guards to prevent them; which letter was presently shewed to the king by colonel Whaley.—That about six days after, when it was fully known by the parliament and army that the king was in the Isle of Wight, commissary-general Ireton standing by the fire-side in his quarters at Kingston, and some speaking of an Agreement likely to be made between the king and parliament, now the person of the king was out of the power of the Army, commissary-general Ireton replied, with a discontented countenance, He hoped it would be such a peace as we might, with a good conscience, fight against them both.—Thus they who, at the first taking the king from Holdenby into the power of the Army, cried down Presbyterian government, the proceedings of this present parliament and their perpetuity; and instead thereof held forth an earnest inclination to a moderate episcopacy, with a new election of members to sit in parliament for the speedy settling of the kingdom; and afterwards, when the 11 Members had left the house, and marched through London with the Army, the 7 Lords impeached, the 4 Aldermen of London committed to the Tower, and other citizens committed also, then again cried up Presbyterian government, and the perpetuity of the present parliament; lieutenant-general Cromwell pleasing himself with the great sums of money which were in arrear from each county to the Army, and the tax of 60,000*l.* a month for our maintenance: Now, saith he, we may be, for ought I know, an Army so long as we live. And since the sending forth the Orders of parliament for the calling their members together, lieut. general Cromwell perceiving the houses will not answer his expectation, he is now again uttering words, persuading the hearers to a prejudice against the proceedings of parliament; again crying down Presbyterian government, setting up a single interest, which he calls an honest interest, and that we have done ill in forsaking it. To this purpose it was lately thought fit to put the Army upon chusing new Agitators, and to draw forth of the houses of parliament 60 or 70 of the members thereof; much agreeing with his words he spake for-

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merly in his chamber at Kingston, saying, What sway Stapylton and Hollis had heretofore in the kingdom, and he knew nothing to the contrary but that he was as well able to govern the kingdom as either of them: so that in all his discourse nothing more appeareth than his seeking after the government of king, parliament, city, and kingdom; for the effecting whereof he thought it necessary, and delivereth it as his judgment, that a considerable party of the chief citizens of London, and some of every county, be clapt up in castles and garrisons, for the more quiet and submissive carriage of every place to which they belong. Further saying, That from the raising of the late Tumult in London, there should be an occasion taken to hang the recorder and aldermen of London, then in the Tower, that the city might see the more they did stir in opposition, the more they should suffer; adding, That the city must first be made an example.—And since lieut. general Cromwell was sent down from the parliament for the reducing of the Army to their obedience, he hath most frequently, in public and private, delivered these ensuing Heads as his principles, from whence all the foregoing particulars have ensued; being fully confirmed, as I humbly conceive, by his practice in the transaction of his last year's business: 1. That every single 'man is judge of just and right, as to the good 'and ill of a kingdom. 2. 'That the interest 'of honest men is the interest of the kingdom' And those only are deemed honest men by him, that are conformable to his judgment and practice; which may appear in many particulars. To instance but one, in the choice of col. Rainsborough to be vice-admiral; lieut. general Cromwell being asked How he could trust a man whose interest was so directly opposite to what he had professed, and one whom he had lately aimed to remove from all places of trust? He answered, That he had now received particular assurance from col. Rainsborough, as great as could be given by man, that he would be conformable to the judgment and direction of himself and commissary general Ireton, for the managing of the whole business at sea. 3. 'That it is lawful to pass 'through any forms of government for the ac-'complishing of his end; and therefore either 'to purge the houses, and support the remain-'ing party by force everlastingly, or to put a 'period to them by force, is very lawful and 'suitable to the interest of honest men. 4. 'That it is lawful to play the knave with a 'knave.' These gentlemen aforesaid in the Army thus principled, and, as by many other circumstances may appear, acting accordingly, give too much cause to believe that the success which may be obtained by the Army, except timely prevented by the wisdom of the parliament, will be made use of to the destroying of all that power for which we first engaged: and I having, for above these 12 months past, sadly and with much reluctancy observed the several Passages aforesaid; yet with some hopes that at length there might be a returning to the obedience of parliament; but contrary hereunto, knowing that resolutions were taken up. That in case the power of parliament cannot be gained to countenance their designs, then to proceed without it: I therefore chose to quit myself of my command, wherein I have served the parliament for these 5 years last past, and put myself upon the greatest hazards by discovering these truths, rather than, by hopes of gain with a troubled mind, continue an assistant or abettor of such as give affronts to the parliament and kingdom, by abusing of their power and authority, to carry on their particular designs; against whom, in the midst of danger, I shall ever avow the truth of this Narrative, and myself to be a constant, faithful, and obedient servant to the parliament of England. Ro. HUNTINGTON."* August 2, 1648."

The Commons order their Votes against the Scots Army to be printed: and appeal to the General Assembly of the Church of Scotland against the Declaration of their Committee of Estates.] We have before taken notice, That a Declaration had been presented to both houses from the Committee of Estates of the Parliament of

* Lord Clarendon writes, "That Ashburnham and Berkeley received many advertisements from some officers with whom they had most conversed, and who would have been glad that the king might have been restored by the Army, for the preferments which they expected might fall to their share; that Cromwell and Ireton resolved never to trust the king, or to do any thing towards his restoration; and they two steered the whole body; and therefore it was advised, that some way might be found to remove his majesty out of their hands. Major Huntington, one of the best officers they had, and major to Cromwell's own regiment of horse, upon whom he relied in any enterprize of importance, more than upon any man, had been employed by him to the king, to say those things from him which had given the king the most confidence, and was much more than he had ever said to Ashburnham; and the major did really believe that he had meant all he said, and the king had a good opinion of the integrity of the major, upon the testimony he had received from some he knew had no mind to deceive his majesty; and the man merited the testimony they gave him. He, when he observed Cromwell to grow colder in his expressions for the king than he had formerly been, expostulated with him in very sharp terms for abusing him, and making him the instrument to cozen the king; and, though the other endeavoured to persuade him that all should be well, he informed his majesty of all he had observed, and told him that Cromwell was a villain, and would destroy him if he were not prevented; and in a short time after he gave up his commission, and would serve no longer in the Army." vol. 5. p. 75.

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Scotland, setting forth the Reasons of their Army's marching into England under the command of the duke of Hamilton; and that the Commons had thereupon passed a Vote, declaring that Army, and all such as joined them, to be Traitors; and another, with the same censure, against all those who had given them invitation: to both these the lords refusing their concurrence, the commons thereupon ordered them to be printed and published; and likewise the following Narrative to be sent to the General Assembly of the Church of Scotland.

A NARRATIVE of the Proceedings of the PARLIAMENT of England in the Work of Reformation, and of their Resolutions to maintain the Government of the Kingdom established by Law, and of their Endeavours for Settlement of the Peace, and Preservation of the Union, between the two Kingdoms of England and Scotland.*

"We the commons assembled in the parliament of England, taking it into our consideration, That however the late possessing of Berwick and Carlisle, and the coming of the Scots Army and forces into this kingdom, be most notorious and unparalleled breaches of the Solemn League and Covenant; and the many Treaties, national Agreements, and acts of parliament, passed both in England and Scotland: Yet, because we are assured these impious and unwarrantable actions cannot be done with the approbation and consent of the religious and well-affected people of the kingdom of Scotland; and that we understand there are very few amongst those who are in this Engagement against us, that first engaged with us in the Covenant and Cause; but such as have been professed enemies to them, however they be now content to pretend thereunto, that they may the better deceive the people of this kingdom: We are unwilling to impute such evils to the nation in general, but to those persons that own and appear in them; whom we are confident God, that hath still so remarkably manifested his displeasure against truce-breakers, in his due time will judge, whatever we may suffer in the mean while.—Therefore we now send to you, that it may appear we will not, by any provocation, be induced to withdraw ourselves from those in Scotland who retain their former principles; and still own the Cause wherein we have, with a blessing from Heaven, been so long engaged and solemnly united.—And because the enemies thereof have been very industrious in prosecuting a design to hinder the work of Reformation in this kingdom, by raising many scandals and reproaches upon the parliament; and by unworthy insinuations of their ends and intentions, and false representations of their actions and proceedings, which they have framed suitable to the several present stirring distempers, the better to foment discontents in all sorts of people against them; charging them, That they do not intend any thing in the work of Reformation, though they do more malign what they have done already than desire they should do more; that they have a purpose to alter the government of the kingdom; that they are enemies to Peace, and to the union of the kingdoms, and such like: Therefore, that by such practices neither you may be abused nor we further wronged, we have thought fit, for the necessary vindication of the parliament, to give you, in the first place, a short view, how far, through the assistance of Almighty God, to whom alone be the glory, the two houses of parliament have proceeded in the work of Reformation, notwithstanding the opposition of the enemies to truth; and the great dangers and difficulties which have been raised to hinder them, by the force and power, plots and designs, of the Popish, Prelatical, and Malignant party in this kingdom, with whom the Scots Army are now joined in forces and councils.—It is very well known how great a party in this kingdom were engaged for upholding of prelacy; yet the parliament, notwithstanding all discouragements and hazards to themselves, have taken away and extirpated that government, so disagreeable to what is practised in other Reformed Churches, and prejudicial to the power of Godliness.—And because the Peace of the Church, and Power of Religion, cannot long continue without good order and discipline established therein; they called an Assembly of godly, learned, and orthodox Divines from all parts of the kingdom, with whom some commissioners of the Church of Scotland joined, to sit at Westminster; and, after consultation had with them, both houses took away the Service-Book, commonly called 'The Book of Common-Prayer,' and established a 'Directory for Worship;' commanding the practice of it in all the churches and chapels of this kingdom: and, instead of Episcopacy, they have set up Presbyterian government in the Church, which is already settled in many parts of the kingdom; and do, by God's assistance, resolve to pursue the further perfecting and establishing of it in all parts, both in England and Ireland.—They have approved and passed 'The Confession of Faith' or 'Articles of Christian Religion,' as it came from the Assembly of Divines, with some small Alterations; only some small part is yet under consideration, the rest being printed and published by authority of parliament. They have passed a Greater and Lesser Catechism that came from the Assembly of Divines. They have taken away all superstitious Ceremonies and popish Innovations. They have given authority for the demolishing of all Representations of any persons of the Trinity, Saint, or Angel; and taking away all Altars, Crosses, Crucifixes, Pictures, and all other monuments of idolatry and superstition in any church, chapel, or

* Printed by Edward Husbands, printer to the Honourable House of Commons, August 8, 1648.

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place, within this kingdom. They have passed an Ordinance for the punishing of Blasphemies and Heresies. They have passed an Ordinance for ejecting scandalous Ministers and School-Masters; and thereupon have removed many, in whose stead they have placed godly and able men. They have passed an Ordinance, that none shall enter into the work of the Ministry, but such as are ordained thereto. They have given all the encouragement, and made the best provision, they could for the maintenance of a godly Preaching Ministry through the kingdom; not only in removing the ignorant and scandalous, but in augmenting the maintenance of painful Ministers, both out of the Impropriations of Bishops, the Estates and Revenues of Deans and Chapters, and out of the Impropriations of Delinquents, which they bought out and settled upon churches that wanted maintenance, to a very great value.—They have purged the Universities and chief Schools of the kingdom, which are the seminaries of learning for education of youth, of many heads of houses, fellows and scholars that were superstitious, prelatical, and malignant; and have placed, in their stead, such as are well-affected to Reformation of Religion, and to Uniformity with other Reformed Churches. They have passed several Ordinances for the better Observation of the Lord's Day, and Days of public Fast and Thanksgiving; they have condemned all licentious practices upon those days, and have ordered the Books, formerly written in favour of them, to be publickly burnt. They have passed an Ordinance for suppressing all Stage-Plays and Interludes, the nurseries of vice and profaneness.—And although we must needs say, That the greatest let and impediment which we have met with, in settling the Reformation of Religion according to the Covenant, hath come from his majesty; (who, by his refusing hitherto to grant our Desires for the taking away of Episcopacy and the Service-Book, and to settle the Directory for Worship and Presbyterian Government; and, by denying his concurrence to establish them by act of parliament, hath given great occasion to men of unsound judgments, to spread their opinions and errors, which is not unusual in times of Reformation when the settling of it is long delayed; and further, by his declaring in his late Message from the Isle of Wight, 'That he thinks himself obliged, both as a 'Christian and as a king, to employ whatever 'power God shall put into his hand for the 'upholding of Episcopacy,' hath given great encouragement to the Popish, Malignant, and Prelatical Party, to endeavour, by plots and designs, and now again by open force, the re-introducing of Episcopacy and the Service-Book; which, by the conjunction of the Scots Army with their forces, they have now great hopes to effect); yet, by God's assistance who hath helped us hitherto, it shall be our care and endeavour, against all dangers and discouragements whatsoever, to proceed in the work of Reformation until it be perfected.—For other things wherewith we are commonly aspersed; as, That we should have intentions to alter the Fundamental Government of this kingdom, both houses have endeavoured so to stop the mouth of malice, by declaring several times formerly, and so late as the 6th of May, last, 'That they will not alter the Government 'by king, lords and commons;' that we shall need say no more of it.—And for our Desires of Peace, our seven several Addresses to the King, with Propositions for a safe and well-grounded Peace, will sufficiently speak for us: and although the several denials which we have received from his majesty formerly, and the present preparations for war by the Malignant party of both kingdoms under pretence of Peace, might wholly discourage us; yet we, notwithstanding all the hazards that may attend it, have now again agreed to try whether a Peace can be settled by a Treaty with his majesty in the Isle of Wight, upon the Propositions presented to him at Hampton-Court; wherein we shall, by the help of God, approve ourselves such as are both desirous of a firm peace, and mindful of the trust reposed in us by the people of this kingdom, for the securing of Religion and their Liberties.—As for our Desires to preserve the Union and brotherly Agreement betwixt the kingdoms, we shall not here say much about it; because the whole transaction betwixt our Commissioners and the Parliament, and Committee of Estates of Scotland will be printed; wherein it will appear what was offered, in order to give them real satisfaction in our Engagements to them for the service of their armies in England and Ireland, to which we could never get any Answer; and what they demanded in the name and by the command of both houses, from the Parliament and Committee of Estates of Scotland, concerning several English Delinquents and Incendiaries then in Scotland, which, by treaties and acts of parliament passed in both kingdoms, ought to have been delivered to be tried in the kingdom of England; but instead of giving them up, they were countenanced and encouraged, consulted and agreed with, to seize and hold the towns of Berwick and Carlisle in the kingdom of England; which by acts of parliament, and several treaties and agreements of both kingdoms, were not to be garrisoned without the consent of both parliaments.—And when, in pursuance of those Treaties and Agreements, our commissioners did declare those traitors and enemies to this kingdom that had garrisoned them; and required the like Declaration from the parliament and committee of estates of Scotland, it would not be assented unto, although very often pressed; but, instead thereof, all manner of provisions were sent unto the commanders in those garrisons, though many of them notorious Papists; and they had much freedom and countenance to their proceedings by persons of eminent power in Scotland: and whereas, notwithstanding we had notice there

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was some design for seizing these towns, which might have been prevented by our timely putting forces into them, yet to avoid the guilt of Breach of Treaties, we rather resolved to run the hazard which did ensue, than to bring that imputation upon ourselves. And it now appears, that these towns were but taken in trust to be delivered to the Scots forces; who, however they do publickly declare for Religion and the Covenant, yet the Papists and Delinquents, not only in Berwick and Carlisle, but in other parts of the kingdom, (who are professed enemies to Religion and the Covenant, and do kill, plunder, and pursue those who have been faithful in them) are so well satisfied of their ends and intentions that they join and hazard their lives and fortunes with them.—Whilst these afore-mentioned Councils and Compliances were thus on foot in Scotland, with those that are declared enemies to the Peace of this kingdom and to the grounds of the union of both kingdoms, the parliament of Scotland did send us a Paper of Desires, dated the 26th of April last, which in the Letter wherein they were inclosed are called Demands (which implies a right that upon examination will not be found); yet the houses were so desirous to give the parliament of Scotland all possible satisfaction, that they did not take exception thereunto, nor to the person by whom they were sent, who was accused before them for endeavouring the revolt of the forces under the lord Inchequin in Ireland, which then had happened; nor did they insist upon the first granting of their aforesaid just Demands made to the parliament and Committee of Estates of Scotland; but perceiving so strange an alteration in that kingdom, they judged it fit for them to try, in the first place, whether Scotland would own the cause wherein we had both been engaged; and therefore (after our commissioners had acquainted the Committee of Estates with our Declaration of the 6th of May last, concerning our full resolution to maintain and preserve inviolably the Solemn League and Covenant, and Treaties betwixt the kingdoms) they did return Answer to this purpose; 'That we did offer to 'join with the Parliament of Scotland, in the 'Propositions presented to the king at Hamp-'ton-Court, and in making such further pro-'ceedings thereupon as should be thought fit 'for the speedy Settlement of the Peace of 'both kingdoms, and preservation of the 'Union, according to the Covenant and Trea-'ties; and when we should receive their An-'swer thereunto, the houses would be ready 'to give further satisfaction in those things 'which should not intrench upon the particular 'interests of the kingdom, and privileges of 'the parliament of England.' But to these all the Answer our commissioners could obtain from the Parliament, or Committee of Estates of Scotland, was, 'That they could 'return us no Answer, till just satisfaction 'were given to their Desires of the 26th of April.'—Afterwards, we agreed upon a Personal Treaty with the king's majesty upon the Proposition, he first consenting to Three Propositions which, in substance, he had granted in former Messages; and the houses sent to the Committee of Estates for Scotland to join with them, and to prepare such Propositions as they thought fit for that kingdom: but to this neither we, nor our commissioners, received any Answer until a Scots Army had invaded this kingdom, and then it was sent with a Declaration, of which we will say no more in this place, but that, considering they were bound by treaties and acts of parliament to give us 3 months warning before their making war with us, it had been more honourable that their Declaration had rather come before, than followed after, their Army.—By all which, and by their vigorous pursuing the raising of their Army, before they sent their Desires; and even after, before they knew what Answer would be returned to them by the houses, it doth appear, that this invasion was intended and resolved upon, let us say or do what we would; wherein they have too little considered how many obligations did lie upon them to the contrary; how much this their Engagement tends to the utter ruin of poor Ireland, who, by their drawing away so many of the British and other forces to join with them and disabling us to send them relief, is exposed to imminent hazard; how much to the dishonour and danger of the Reformed Religion in all Christendom; and how highly the God of Truth and Peace is provoked by it: all which evils, seeing we have on our parts so much laboured to prevent, we doubt not but God will be with us, and the prayers of his people for us: and that those who have dealt falsely in striking hands with the common enemy, to kindle a new fire betwixt these kingdoms, shall themselves perish therein. H. ELSYNGE, Cler. Parl. Dom. Com."*

The English Commissioners at Edinburgh return home.] The march of the Scots Army into England having rendered all further negotiations unnecessary, the English Commissioners applied for a safe-conduct home; in return to which they received the following Letter from the earl of Crawford, lord treasurer of Scotland:

"Right Honourable; I am commanded by the Committee of Estates, in answer to your lordships Desires of the 19th of this instant July, to return to your lordships from them the inclosed pass; and when your lordships shall

* Mr. Walker styles the foregoing Address to the General Assembly of the Church of Scotland, from the House of Commons of England, a dangerous precedent to both kingdoms: "To make a few ambitious pedantical Churchmen supreme judges over parliaments and state affairs, in ordine ad Deum; and how apt they are," says he, "to lay hold upon such occasions, and kindle their zeal into a consuming flame, I leave all wise men to judge." History of Independency, p. 126.

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be pleased to acquaint them with the time of your parting from hence, they will be ready, if you insist thereupon, to appoint a competent convoy to attend your lordships for so much of the way as you shall think necessary; your lordships engaging the public faith of the kingdom of England for their safe return. I am likewise commanded by the Committee to shew your lordships, that, by their orders, the towns of Berwick and Carlisle are, for the peace of both kingdoms, secured from the sectaries; and that just satisfaction being given to the necessary Desires of this kingdom, not only these towns shall be put in the condition they were in formerly, and their fortifications slighted, but likewise all the forces of the kingdom of Scotland, now in England, shall immediately be recalled and return; and that they will still inviolably observe, on their parts, the union and brotherly correspondence betwixt the kingdoms. The Committee having employed one Mr. Thomas Haliburton, about a month since, to go to London as a public servant of theirs, they have commanded me to shew your lordships their desire that no let nor hindrance be offered to him in his return, which would be contrary to the law of nations, and to their expectations. I am, &c. CRAWFORD and LINDSAY. Edinburgh, July 31."

The English Commissioners Answer to the lord treasurer's Letter concludes this tedious and fruitless Negotiation between the parliaments of both kingdoms:

" Right Honourable; We received yours of the 31st of July; and to that part thereof which concerns public business, we cannot give your lordship any Answer, but have thought good to let your lordship understand, that an Order is come to our hand, dated July 22, 1648, by which we are recalled, and thereby our powers of any further transaction of business with your lordship, otherwise than in order to our return, we conceive are determined; as to that part wherein your lordship hath been pleased to manifest your care for our safe pass and convoy, we return your lordship thanks. We are, &c. NOTTINGHAM, BRYAN STAPYLTON, ROB. GOODWYN, JOHN BIRCH. Edinburgh, August 1."

Debate in the Commons, on a Motion for declaring the Prince of Wales a Rebel and a Traitor.] August 4. This day a debate took place in the commons, relative to the Prince of Wales. The Sheriffs of London had presented to that house the copy of a Letter sent from the Prince to the lord mayor, aldermen, and common council of that city, with a Declaration expressing the reasons of his appearing on board the Fleet, both which we have before given at large: to these were annexed the copy of another Letter from his highness, addressed to the Company of Merchant-Adventurers of England, informing them, That he had detained 3 of their ships, but without any intent to make prize of them; desiring to borrow 20,000*l.* to be repaid out of the Customs; and requiring their speedy Answer.—The citizens being withdrawn, Mr. Ashe moved, That the common council and merchants should be forbidden to give any Answer to the Prince's Letter; for that as he had engaged himself to the States of the Low Countries to do no act prejudicial to trade, there was no danger of his making prize of the ships he had stopped, though the 20,000*l.* should not be sent as desired.—Colonel Harvey, after aggravating many faults in the King's government, said, The Prince was his father's own son, as like him as could be. Sir Peter Wentworth urged, That he had animated the Scots to make the present invasion; and that, by his letter to the city, he had openly declared for them. To this Mr. Knightley adding, That the Prince had formerly been in arms against the parliament, and was but a subject, Mr. Blackiston moved, That the house should declare him a Rebel and a Traitor: but this motion, though earnestly insisted on, was laid by for the following Reasons: 1. " That they had not the originals of the Prince's Letter and Declaration, but only copies, not so much as attested upon oath by any authentic clerk; therefore no legal proceeding could be had upon them. 2. To vote the Prince a Traitor the same day that they sent messengers to invite the King, his father, to a treaty of Peace, would argue no peaceable inclination in them, and would be so understood by the people. 3. They were engaged by the National Covenant to defend the King's person, crown, and dignity; but the Prince, heir apparent to his crown, was, next under God, the chief supporter of his crown and dignity; therefore to vote him a Traitor, was to subvert his crown and dignity. 4. By the statute of the 25th Edw. 3. 'It is High Treason to endeavour the destruction of the Prince, the king's eldest son:' but to declare him a Rebel and a Traitor, was to endeavour to destroy him; and therefore high treason. 5. The people were already jealous that the King and his posterity should be laid by, and in them the monarchical government of this nation subverted, and a new form of government introduced; they had already, by the Votes of 'No Addresses to the King,' and by their Declaration against him, (wherein they say, 'They can no longer confide in him') laid by the King; and now, to vote the Prince a Rebel and a Traitor, was to lay by both him and his brother the duke of York, who adheres to him, which would exceedingly confirm the people in their fears."

Though this motion for declaring the Prince of Wales a Rebel and a Traitor, for taking arms against the parliament, miscarried in the house of commons; they nevertheless passed a Vote denouncing that censure against the subjects of this kingdom who should adhere to or assist him in the present war, either by sea or land; and that all such ought to be proceeded against as Traitors: they also made an Order forbidding the City and the Merchant-Adventurers to give any Answer to the Prince's Letter, without the consent of that house; whereby they most effectually prevented the

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loan he desired of 20,000*l.*—This conduct of the house of commons towards the Prince of Wales, gave him sufficient evidence how little favour he had to expect from that quarter, and seems to have induced him to make his application to the other house.

The Prince's Letter to the House of Lords, offering his Mediation for a Peace.] Aug. 8. The Speaker of the house of lords acquainted them with a Letter sent to him from his highness, which was read as follows:

CHARLES *P.* Right Trusty and Right Well-beloved Cousin, we greet you well.

"Understanding, with great contentment, that both houses of parliament have resolved upon a Personal Treaty with his majesty, on some of the particulars expressed by us in our Declaration of the 29th of July last, as most conducing to the Settlement of a blessed Peace; we have thought fit to acquaint you with our sense and desires concerning the same, to the end that they may be communicated by you to the house of peers from us. 1. We propose, that the Treaty be appointed to be in such place and manner as may best consist with the honour, freedom and safety of his majesty; whereby the agreement to be made may not be blemished with the face of restraint. 2. That the Treaty may be between his majesty and his kingdoms of England and Scotland, so as the matters in difference may equally fall under the consideration of all persons concerned therein. 3. That, during the said Treaty, there may be a general Cessation of Arms, to the end that the affections of the people, though engaged in several parties, may thereby be prepared to meet in amity and brotherly kindness; and that no intervening accidents or success may disturb the proceedings in this Treaty. Lastly, That an orderly moderate subsistance, during the Treaty, be agreed upon for all armies and forces now on foot, and particularly for the Scots Army, in such manner as may be with least pressure on the Northern counties.—If the two houses shall think fit to consent to the effect of what we now propound, as proper to render this Treaty effectual, we shall, with great joy and alacrity, interpose our Mediation to the king our father, for the obtaining of all such concessions and acts of grace, as, by the blessing of God, may most conduce to a firm and lasting Peace and the happiness of his majesty and all his people. We further desire you to propound to the house of peers, That some equal course may be suddenly settled for the support of us, and the Navy with us, whereby we may be enabled to protect the trade of the kingdom, and may forthwith discharge all ships and merchandizes now stayed by us. Given under our hand and seal from on board the Fleet in the Downs, the 5th of August, in the 24th year of the reign of the king our royal father."

Mr. Pooly, who brought this Letter from the Prince, was ordered to attend the house, de die in diem, for an Answer.

Petition from the City of London, for a Personal Treaty with the King.] The same day the following Petition was presented to the lords, and read:

The Humble PETITION of the Lord Mayor, Aldermen, and Commons of the City of London, in Common-Council assembled,

"Sheweth; That your petitioners, being deeply sensible of the sad, miserable, and deplorable condition of the king, parliament, and kingdom, by the long continuance of a bloody and unnatural war, whereof they had great hopes to be freed after the common enemy was subdued, the Army of our brethren of Scotland withdrawn, and the king's majesty placed at Holdenby by consent of both kingdoms, in order to a happy composure of all differences, both in Church and State; but, contrary to expectation, your petitioners, to the great grief and sorrow of their souls, do find the government of the Church to be still unsettled; blasphemy, heresy, schism, and profaneness increased; the relief of bleeding Ireland obstructed; the war, to their great astonishment, renewed; the people of England thereby miserably impoverished and oppressed; the blood of our fellow-subjects spilt like water upon the ground; our brethren of Scotland now entered into this kingdom in an hostile manner; his highness the Prince of Wales commanding at sea a considerable part of the Navy, and other ships under his power, having already made stay of many English ships with merchandize and provisions to a very great value: by reason whereof navigation will be destroyed: seamen desert us; the merchants inforced to leave off trading; clothing and other manufactures of this kingdom fall to the ground; wool, which is the staple commodity of the land, remains unsold; the mint stands still; the Customs and other profits by merchandize will be very much abated, if not utterly destroyed; coal, salt, corn, fish, butter, cheese, and all other provisions brought by sea to this city and kingdom, stopped; the innumerable number of the poorer sort, depending only upon manufacture, wanting work and bread, will, as is greatly to be feared, in a very short time, become tumultuous in all parts of the kingdom; and many be enforced to remove themselves and families into foreign parts, where they will settle the manufactures of this kingdom never to be regained: all which will unavoidably, in a very short time, totally ruin the people of this kingdom.—Your Petitioners humbly conceive no visible way can prevent the apparent ruin of these kingdoms, but the speedy freeing of his Majesty from that restraint wherein he now remains; and, by a Personal Treaty, restoring to the king his just rights; to the parliament their undoubted privileges; to the people their native freedom and benefit of the laws, being the birth-right of every subject; and, by the due attendance of the members of parliament, in the discharge of their trust to the kingdom,

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and in observing the Self-denying Ordinance.* —The premises considered, your petitioners humbly pray that the king's majesty may be speedily freed from that restraint wherein he now remains, and humbly invited to a Personal Treaty for settling of a safe and well-grounded Peace; and that therein the union between the two kingdoms may be preserved; that, in the interim, all acts of hostility, both by sea and land, may, by command from the king and parliament, cease, and trade be free without any interruption; that the government of the Church may be speedily settled according to the Covenant; distressed Ireland relieved; the people of the land, by disbanding all armies, may be eased of their intolerable burthen; the liberties of the subject restored, and the laws of the land established; the members of this honourable house injoined to attend the service of the kingdom; that the Self-denying-Ordinance may be effectually observed; and this honourable house would be pleased speedily to take into their serious consideration the sad condition of such merchants, whose ships and goods are under the power of that Fleet which is now with his highness the Prince of Wales; and suddenly to find out some expedient for their releasement. And your Petitioners, as bound, shall ever pray. MITCHELL."

To this Petition the lords returned the following Answer by their Speaker:

"The lords have commanded me to let you know, that they do thankfully accept the often-renewed expressions of your ardent zeal and care, that all posible means should be used for the procuring a safe and well-grounded Peace. Wherein they do so far sympathize with your Desires, that they do assure you, you may, with all confidence, expect their constant and industrious employment of their utmost endeavours for the obtaining so great a blessing, whereunto they hope Almighty God will give a happy success. And for the particulars contained in your Petition, they will take them into speedy consideration, that you may reap all satisfaction and contentment thereby, so far forth as lies in their powers; as they are bound in their duty they owe to the common-wealth, and as they are obliged to the renowned city of London for their incessant demonstration of their affection and service to the parliament ever since the beginning of these unhappy distractions."

Debate thereupon in the House of Commons.] The foregoing Petition did not meet with so courteous a reception from the commons, to whom it was presented the same day; for as soon as it was read there,

Mr. *Weaner* stood up and said, 'The citizens were become malignant, and that it was apparent by their Petition they intended to desert the parliament.'

Col. *Harvey* added, 'That he could affirm, of his own knowledge, this Petition was driven on by many common-council men, who had never done any good service for the parliament; yet he would not deny that there were many very godly men who had a hand in it; but those honest godly men were fooled by a company of knaves.' To this

Sir *Benj. Rudyard* answered, 'Mr. Speaker We have sat thus long, and are come to a fine pass; for the whole kingdom is now become parliament alk over. The Army hath taught us a good while what to do, and would still teach us what we shall do; the city, country, and reformadoes teach us what we should do; and all is, because we ourselves know not what to do. Some men are so violent and strong in their own conceits, that they think all others dishonest which are not of their own opinion; but he that calls me knave, because I differ from him in opinion, is the verier knave of the two.'—At length it was resolved to call in the petitioners, and the Speaker told them, "That when the house received their Petition, they were in debate of matters of great concernment, and were also engaged in a conference with the lords; yet they had taken their Petition into consideration; which containing many things of very high concernment, both to the king, parliament, city, and kingdom, they would give them an Answer thereunto the next day in the afternoon."

Presently after this, a Petition from the Reformadoes, said to be subscribed by 8000 persons, consisting of many knights, colonels, and officers of quality, was presented to the commons

* A Motion had been made, on the 4th of this month, for reviving the Ordinance against Places of Profit being held by Members of Parliament. The occasion of which was this: It being proposed, That Thursday the 10th of August might be appointed a Day of Humiliation for the late unseasonable Weather, this motion was seconded in a sarcastical manner to this effect: 'Mr. Speaker, I like the motion 'well, so it be done with due preparation, 'else it may bring a curse instead of a blessing; and the only preparative to a good 'Fast, is first to fast from strife, envy, malice, 'pride, ambition, vain glory, hypocrisy, uncharitableness and covetousness: and, in 'order to this, I propound that the Self-'denying Ordinance may be reinforced; and 'that all Members who enjoy great Offices, 'contrary to that Ordinance, may quit them 'accordingly, that so the house may once 'stand upon equal feet.' Mercurius Pragmaticus, No. 20.

A day was appointed accordingly to take this matter into consideration, but postponed from time to time, and at last entirely laid aside; most of the Members having very powerful Reasons for dropping such an enquiry, as will appear by a curious Pamphlet, printed in the year 1660, entitled "The Mystery of 'the Good Old Cause briefly unfolded, in a 'Catalogue of such Members of the late Long 'Parliament, that held Offices, both Civil 'and Military, contrary to the Self-denying Or-'dinance;" a copy of which will be found in the APPENDIX to the present volume.

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praying, " That there might be a speedy, free, and personal Treaty, according to the Desires of the city; that their Accounts might be stated without delay; that they might have interest for their Arrears; that those imprisoned for debt might be set at liberty, and the rest protected till the payment of their Arrears; that they might have 3 months Pay according to the Ordinances of the 15th, 16th, and 21st of June, 1647; and present visible security for the remainder thereof."—The Petitioners being withdrawn,

Alderman *Pennington* said, 'He was sorry to see his brethren of the city and the Reformadoes to be all one in Malignancy; adding, That those two Petitions of the soldiers and the city made both but one plot.'

Mr. *Ven* said, 'He was told they had been laying their heads together a week since; and he was confident that, in the end, they would all join together against the parliament.'—However, the Petitioners being called in, received the following Answer from the Speaker: " Gentlemen; the house has considered of your Petition; and as your judgments have followed theirs heretofore, so you will make that your rule still. They have done what possibly they could, to satisfy the petitioners Arrears; and, for a great part thereof, have given them the same security that the lord Fairfax's Army had their Arrears secured: and they have further ordered, That all such Delinquents estates, fines, and compositions, as the petitioners shall discover, that are not discovered, shall go to such of the petitioners as shall make such discoveries, towards payment of their whole Arrears: and have further ordered, That the fifth and twentieth part of such Delinquents as the petitioners shall discover, not formerly discovered, shall also go towards payment of the Arrears of the petitioners: and the house have also appointed a Committee to confer with some of you for a way to give you further satisfaction."

Aug. 9. Mr. Swinfen reported an Answer to the Petition presented by the lord mayor, aldermen, and Common Council, as follows:—" The house of commons have considered of the Petition of the lord mayor, aldermen, and, commons of the city of London, in common-council assembled, presented to them Aug. 8, 1648: and, upon serious debate had thereupon, they have thought fit to acquaint the common-council, That they have passed an Ordinance for the settling of Presbyterian Government: and therein (upon review of all their former Ordinancss) they have perfected and compiled the same in one entire body: and for the obtaining a safe and well-grounded Peace, they have resolved upon a Treaty with the King in the Isle of Wight, upon the Propositions formerly agreed upon, and presented to the king at Hampton-court, and for taking away Wards and Liveries, and also upon such other Propositions as shall be propounded, either by his majesty or both houses of parliament; and that the king make choice of what place he pleaseth in that island, to be there with freedom, honour, and safety, to treat personally with the Commissioners of Parliament: and the Committee which they have sent to present this offer, are now with his majesty.—Concerning the seizing of Ships and Goods of the Merchants of the city of London, and the decay and obstruction of the Trade of the kingdom, by the revolted Ships that lie in the Downs, the house is deeply sensible thereof; and have done what lies in them for reducing those ships to their due obedience to the parliament, by offering them Indemnity for their offence, and payment of the mariners Arrears, upon their submission; and by sending the earl of Warwick, lord admiral, with power to command the rest of the Navy to reduce those ships by force, if they refuse the pardon offered them: which might have proved an effectual means, before this time, to have prevented the loss already suffered, and to have secured the trade of the kingdom, had not the going-out of the Fleet been retarded by the backwardness and treachery of divers, who have secretly complied with the late defection of the Navy: and, that the house may manifest their earnest desires to entertain any further means for their more speedy and certain effecting of this work, of so necessary importance to the honour and welfare of this nation, they have appointed a Committee to treat with the Merchants that are most concerned therein, to receive their advice, and to know what aids they will contribute to the clearing of the seas: and their readiness therein, as it will return abundantly to their own advantage, so it will be embraced as a most acceptable service to the whole kingdom, by this house.—As to the Scots Army, which have in hostile manner invaded this kingdom; are possessed of Berwick and Carlisle, contrary to the Treaties betwixt the kingdoms: and do join themselves with the Popish and Malignant Party in the North: the house of commons have declared them enemies to this kingdom; and that all those English or Irish, as voluntarily adhere unto them, are traitors and rebels, and to be proceeded with accordingly: and they resolve by God's assistant, to adhere and prosecute this their Resolution: and, upon the necessary grounds thereof, they do expect the hearty concurrence and assistance of the city of London, as of the rest of the kingdom; notwithstanding all the secret plots and endeavours of the Scots emissaries, or the agents of the Popish and Malignant party of this kingdom, to the contrary."

This draught being read, a member objected to it, saying, 'He hoped that copy must not pass for an Answer; for, as he remembered, the city Petition consisted of at least a dozen particulars, and this Answer mentioned only some of them, and those of the least moment. It gave no Answer to their Desires for the disbanding of all Armies to ease the nation of their burdens; the restoring the people's laws and liberties; the injoining all members to

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attend the house; nor the effectual observation of the Self-denying Ordinance.'

Mr. *Hungerford* objected to a passage in this Answer, wherein the house of commons had declared the Scots Army enemies to this kingdom, and to be proceeded against as traitors and rebels: and that they were resolved to adhere to this Resolution; urging, 'That as the lords had denied their concurrence in that Vote, he conceived the commons could make no such Declaration, nor act therein without them.' In answer to this

Mr. *Reynolds* positively affirmed, 'That the house of commons, being the representative of all the people, had power to act without the lords, for the safety of the people, in case the lords deserted their trust.' And

Mr. *Weaver* said, 'The house need not be so precise in giving an Answer to the city, because the citizens did now adhere to the lords, and neglect the house of commons; for when it was desired lately at a common council, that the originals of the Prince's Letter might be sent to the house of commons, a common council-man stood up and said, 'The better way was to deliver them to the lords, because they were of greater honour and power than the commons, being the highest court, and a court of judicature, which the commons were not; and therefore he conceived the Answer proposed was good enough.'—This the house acquiesced in, and the foregoing Answer was ordered to be delivered to the citizens.

The Earl of Middlesex's Account of what passed between the King and the Parliament's Commissioners, in the Isle of Wight.] This day the lords received a Letter from the earl of Middlesex, in the Isle of Wight, dated the 7th. The purport of it was only to inform the house of their arrival there, and that they had presented the several Votes to the King. But, on the 14th, the earl gave the lords a more ample Account of his commission, in hæc verba:

"On Monday the 7th of August we addressed ourselves to the King, to deliver the several Votes of both houses; and, after having read them, we told his majesty we had but ten days for going, staying, and returning. His majesty was pleased to ask, Whether the ten days were not to be accounted from the delivery of the Message? we answered, No; and that they were to be accounted from Friday, the day of our setting forth. The king replied, That he had not then five days for to consider of his Answer, which he presumed we expected in writing, adding, That he had none to help him, no not so much as a clerk to transcribe; however he would really contribute his best endeavours to a happy Peace. After a short pause the King said, He would have sent to the parliament; and desired us to take notice, that his long silence proceeded not from a dull stupid laziness, or his being insensible of his own or the kingdom's condition; but from the incapacity that was put upon him by reason of the former Votes. His majesty further said, That now there was a way opened to a Treaty, which he ever thought the only means to a durable Peace, he would chearfully embrace it; and that none should more speedily run to it than himself; and, for his part, as being more concerned than any one in the kingdom; nay he might speak without vanity should he say more than all, and he hoped it would not be thought an hyperbolical expression, being assured whoever gained he must be a loser. His majesty then read the Votes to himself; and, as he was reading them, said, He liked them well, his Desires being included in these Votes; for that he desired no more than to treat with honour, freedom, and safety upon the Propositions, and such other things as either he or the houses should offer. His majesty then asked, If the Commissioners were named that were to treat? We answered, No. The King said, In a Treaty there were two things to be considered, some of necessity, some of conveniency. After a little pause, his majesty added, He would go to prepare his Answer, that he might not delay a minute to promote so good a work; and so dismissed us for that time.—On Thursday Aug. 10, we waited on his majesty to receive his Answer; and, upon our entrance into his presence, he said, He was sorry he was limited to so short a time, and had so little help for dispatch; yet, notwithstanding, he had prepared his Answer. Immediately before the reading thereof, he used these expressions, That the last message he sent to the houses was delivered to the Commissioners sealed, and if it had been so presented, it would have been better for him; but now he thought it fit to send this open, for he could not be in a worse condition than he was, being under so close a restraint, none being suffered to speak a word to him without suspicion. His majesty then produced his Answer, and read it aloud in the presence-chamber, being full of company; and, after it was read, his majesty said, That he had therein endeavoured to give satisfaction to his parliament, there being nothing in it but what he conceived was implied in the Votes of both houses. After a little pause his majesty further said, That there might be some that would oppose this Treaty, being gainers by the war, and therefore desired the continuance of it; and that others might think him revengeful; but for his part he was so far from seeking any revenge, that if a straw should lay in the way to hurt them, he would stoop to take it up; and prayed God to forgive them, as he did. Not long after, when we came to take our leave, the king called us apart from the company, and asked how we liked his Answer? We replied, That we hoped it might be a means to restore the Peace of the kingdom."

The King's Answer to the Votes for a Personal Treaty.] The King's Answer was as follows:

The King's Most Gracious ANSWER to the Votes of both Houses of Parliament, in order to a Personal Treaty, for the settling of a safe and well-grounded

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Peace. Carisbrooke-Castle, Aug. 10, 1648.

"C. *R.* If the peace of my dominions were not much dearer to me than any particular interest whatsoever, I had too much reason to take notice of the several Votes which passed against me, and the sad condition I have been in now above these 7 months; but since you, my two houses of parliament, have opened, as it seems to me, a fair beginning to a happy Peace, I shall heartily apply myself thereunto; and, to that end, I will, as clearly and shortly as I may, set you down those things which I conceive necessary to this blessed work, so that we together may remove all impediments that may hinder a happy conclusion of this Treaty, which, with all chearfulness, I do embrace.—And, to this wished end, yourselves have laid most excellent grounds; for what can I reasonably expect more than to treat with honour, freedom, and safety, upon such Propositions as you have or shall present unto me, and such as I shall make to you? But withal remember, that it is the definition, not names of things which make them rightlyknown; and that without means to perform, no Propositions can take effect; and truly my present condition is such, that I can no more treat than a blind man judge of colours, or one run a race who hath both his feet tied fast together; wherefore my first necessary Demand is, That you will recall all such Votes and Orders, by which people are frighted from coming, writing, or speaking freely to me. Next, That such men of all professions, whom I shall send for as of necessary use to me in this Treaty, may be admitted to wait upon me.—In a word: That I may be in the same state of freedom I was in when I was last at Hampton-Court. And indeed less cannot in any reasonable measure make good those Offers which you have made me by your Votes; for how can I treat with honour so long as people are terrified with Votes and Orders against coming to speak or write to me? and am I honourably treated, so long as there is none about me (except a Barber who came now with the Commissioners) that ever I named to wait upon me? or with freedom, until I may call such unto me of whose services I shall have use in so great and difficult a work? and for safety, I speak not of my Peerson, having no apprehension that way, how can I judge to make a safe and well-grounded Peace, until I may know, without disguise, the true present state of all my dominions, and particularly of all those whose interests are necessarily concerned in the Peace of these kingdoms? which leads me naturally to the last necessary Demand I shall make for the bringing of this Treaty to a happy end; which is, That you alone, or you and I jointly, do invite the Scots to send some persons, authorized by them, to treat upon such Propositions as they shall make; for certainly the public and necessary interest they have in this great Settlement, is so clearly plain to all the world, that I believe no body will deny the necessity of their concurrence in this Treaty, in order to a durable Peace: wherefore I will only say, That as I am king of both nations, so will I yield to none, in either kingdom, for being truly and zealously affected for the good and honour of both; my resolution being never to be partial for either, to the prejudice of the other.—Now as to the Place, (because I conceive it to be rather a circumstantial than real part of this Treaty, I shall not much insist upon it) I name Newport in this Isle; yet the fervent zeal I have that a speedy end be put to these unhappy distractions, doth force me earnestly to desire you to consider what a great loss of time it will be to treat so far from the body of my two houses, when every small debate, of which doubtless there will be many, must be transmitted to Westminster before it be concluded. And really I think, though to some it may seem a paradox, that people's minds will be much more apt to settle, seeing me treat in or near London, than in this isle; because, so long as I am here, it will never be believed by many, that I am really so free as, before this Treaty begins, I expect to be: and so I leave and recommend this point to your serious consideration.—Thus I have not only fully accepted of the Treaty, which you have proposed to me by your Votes of the 3rd of this month; but also given it all the furtherance that lies in me, by demanding the necessary means for the effectual performance thereof: all which are so necessarily implied by, though not particularly mentioned in, your Votes, as I can no ways doubt of your ready compliance with me herein. I have now no more to say, but to conjure you by all that is dear to Christians, honest men or good patriots, that ye will make all the expedition possible to begin this happy work, by hasting down your Commissioners, fully authorized and well instructed, and by enabling me, as I have shewed you, to treat; praying the God of Peace so to bless our endeavours, that all my dominions may speedily enjoy a safe and well-grounded Peace."

The earl of Middlesex having acquainted the house that col. Hammond sent a Letter after the Commissioners, to inform them, That the King had forgot to speak to them concerning his Chaplains, and named two of them, Dr. Sheldon and Dr. Hammond, whom he desired might attend him; this the lords consented to; but the commons denied their concurrence.

Major Rolph discharged by [*the Commons.*] Then the Speaker reported the effect of a Conference with the commons concerning major Rolph: "That Mr. Serjeant Wylde said, He was committed by warrant from this house; that he was in a languishing condition in prison; and that being a person who had served the parliament very faithfully, this case was of great consequence, as being of much prejudice to him, the parliament, and the Army. That, by Order of the house of commons, he took notice of several things observ-

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able in the warrant, both in regard of the illegality of the imprisonment, in point of authority, and also of process, though he had no authority, to dispute that, in respect of keeping a fair correspondence between the houses; only he did put in a salvo, according to the Great Charter, that if their lordships should imprison by an absolute power, it would be destructive to the liberty of the subject, and be a breach of the Great Charter; that though it had been done, yet it had been disclaimed, as being done without the consent of the commons. He said, The warrant for the commitment of major Rolph was illegal, because he stood committed, being only accused of high treason, which is too general; whereby he cannot make any Answer to his accusation. The party who commits should express the cause, and likewise the traitor should know the nature of the offence. Moreover the warrant should run, 'To be continued in 'prison until he be delivered by due course of 'law;' which this warrant does not. He said, The house of commons also looked upon the small credit of the witnesses against him, one of whom had been committed for a great offence, and formerly was a servant to the earl of Holland; and also Mr. Osborne, who had forfeited his trust, and committed a great offence, in concealing this business against the king so long time after he knew it. Upon the whole matter, the commons desired that major Rolph might have his liberty, either by bail or by some other way." A committee of lords was appointed to consider what was to be said to the commons concerning the major, at another conference. But nothing further being done in this affair by their lordships, the commons ordered him to be admitted to bail. He was soon after indicted at Winchester assizes before serjeant Wylde, by whose direction the grand jury returned the bill 'Ignoramus;' upon notice of which the commons directed the major to be discharged, voted him the sum of 150*l.* as a recompence for false imprisonment, and committed Mr. Osborne and Mr. Dowcet, the witnesses against him, to the custody of the serjeant at arms. This charge of High Treason against major Rolph, for compassing and intending the Death of the King, was revived soon after the Restoration of his son, Charles II. as will appear under its proper period.

Debate on the Proceedings of the Commissioners with the King.] The same day that the earl of Middlesex reported the late transactions between the King and the parliament's Commissioners in the Isle of Wight, to the house of lords, Mr. Bulkley did the same to the commons: but the King's Answer in writing, which was delivered to their lordships, not yet being sent down to the other house, this report was confined to some particular circumstances only, which Mr. Bulkley represented to the following effect: "That the King had them welcome, as coming about a welcome business, Peace, which no man desired with more earnestness than himself; that if a peace did not ensue the fault should not lie at his door; and that he feared no obstructions but from those who were gainers by the war. That his majesty desired, immediately after the delivery of their Message, to talk with them in private, which they modestly excused; affirming that they had no commission for any private conference: that about two days before they came away, his majesty seeing them stand in the presence chamber, first called the earl of Middlesex to him, and had some discourse with him singly; next, sir John Hippesley, and had the like with him; at length, said Mr. Bulkley, he called to me, and I could not but afford him the civility of an ear, and an answer to a few inoffensive questions: But, when we were retired out of the presence-chamber, we questioned each other touching his majesty's discourse; and found that all to each of us agreed in the same, and to the same end, viz. His majesty's longing desire for a speedy Settlement; importuning us to do all good offices which might tend thereto, in a composure of the differences betwixt him and the houses of parliament. Mr. Bulkley added, That when they were to come away, his majesty delivered them his Answer in writing, and gave it them open; telling them, He doubted not of their fidelity, though an ill use had been made of the last Message which he sent open, it having been debated and canvassed in private, and a prejudice put upon it, before it was presented to the houses." —These circumstances being thus reported,

Mr. *Herbert Morley* stood up, and said, 'Mr. Speaker, these gentlemen have delivered all to you, save what they should deliver, that is, the King's Answer; which, it seems, they have suffered to be delivered first to the lords: but, methinks, they might have presented us a copy of it.' And then moved, 'That since the gentlemen had gone beyond their commission, by privately conferring with the king, the house might do well, either to call them to account, or give them for their good service an act of oblivion.' But this motion went no further at present. However, the next day, the lords having sent down the King's Answer to the commons, with their Votes thereupon, the Independent Party renewed their resentment against the commissioners for holding a private conference with the king.

Mr. *Thomas Chaloner* alledged an example of one Foscarini, that was sent ambassador from the state of Venice to Savoy; who, for having a private conference with the Spanish ambassador there, Spain being then at enmity with Venice, was condemned at his return home to lose his head. To this it was answered, 'That the example would not hold water in the present case, for that gentleman argued upon a supposition of his majesty's being an enemy to the parliament; which he must first prove to be true, before the example of Foscarini would square with their commissioners.' In reply to which,

Mr. *Scott* said, 'The King was still an enemy, because he had been the means to raise a

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new war, by inviting the Scots; and had not yet made satisfaction for all the blood that had been spilt in the former war, nor had he yet acknowledged his faults, nor submitted himself.'—On behalf of the Commissioners it was urged by several members, 'That the house had given them no prohibition, in their Instructions, against discourse with his majesty: that having revoked their Votes of non-address to the king, it was as lawful for the commissioners as any other to apply themselves to him: and that if the commissioners had reported, that in their private discourses with his majesty they had found an averseness in him towards peace, it is likely they would never have been questioned for any private conference; but their having testified an earnest desire and inclination in the king towards Peace, by a fair treaty, was undoubtedly their only fault.'—These arguments had so great weight in the house, that the party who first proposed to censure the commissioners, made a motion that the business might be laid aside till another time; whereupon sir John Hippesley and Mr. Bulkley stood up, and conjured the house either to acquit them presently or condemn them, that they might know what to trust to; and not have the matter now put by to be laid in their dish again half a year or 12 months hence, when faction might hope to grow strong; and, by power, over-awe the house to their ruin. Protesting, That except some present end were made, either with them or against them, they would forbear any more coming to the house.'—This resolute behaviour of the Commissioners had such effect, that the question being proposed for giving them Thanks, a motion was made to add these words, 'and for approving their Proceedings,' which passed in the affirmative without a division: and accordingly the Speaker returned sir John Hippesley and Mr. Bulkley the Thanks of the house, and declared their Approbation of those Commissioners proceedings.

Votes of the Lords upon the King's Letter accepting of a Treaty.] Aug. 16. The lords having desired a conference with the commons, concerning the King's Letter, sir John Potts reported the following Votes, passed by their lordships, in consequence thereof; 1. "That, for opening a way to a Treaty with his majesty for a safe and well-grounded Peace, these 4 Votes, of the 15th Jan. last, be revoked and taken off. (see p. 831.) 2. That such men of all professions, whom his majesty shall send for, as of necessary use to him in this Treaty, shall be permitted to wait on him; and that his majesty shall be in the same state and freedom as he was in when he was last at Hampton Court. 3. That such Domestic Servants, as his majesty shall appoint to come to attend upon his person, shall be sent unto him. 4. That the Scots shall be invited to send some persons, authorized by them, to treat with the king upon such Propositions as were tendered to his majesty by both kingdoms at Hampton Court, at such time as shall be agreed upon by his majesty and the two houses of parliament. 5. That the town of Newport in the Isle of Wight, named by the king, shall be the place of the Treaty with his majesty. 6. That it is agreed that the king, if he please, may invite the Scots to send some persons authorized by them, to treat upon such Propositions as were tendered to his majesty by both kingdoms at Hampton Court, at such time as shall be agreed upon by his majesty and the two houses of parliament. 7. That 5 lords be appointed to join with a proportionable number of the house of commons, as Commissioners to treat with the king. And, 8. That all expedition be used in a business that requires so much dispatch."

Aug. 17. The commons took into consideration the foregoing Resolutions: and the first of them being read, Mr. Scot urged, 'That the four Votes of Non-address to the king were made upon good advice and judgment; and that it would reflect upon the honour of the house to be thus unsettled in their resolutions, as to vote things one day, and unvote them the next.' To this it was answered, 'It was no new thing for the house often to unvote matters of far less moment, than this of a Treaty for the settlement of the kingdom: and that gentleman and others had been observed to be the ringleaders in unvoting many things, which they conceived cross to their own designs; and the only sticklers in countenancing the Army heretofore, when they constrained the house to recall several Votes which had been passed with far better advice and reason, than those Votes of Non-address, or the Declaration upon them, which had filled the whole kingdom with outcries, and had been the only causes of a second war.' To which no reply being made, it was carried, without division, to concur with the lords in the first Resolution.—But the commons put a negative upon the 4th Resolution, for inviting the Scots to the Treaty, and made several very considerable Alterations in the rest, as will shortly appear.

Answer of the Lords to the Letter from the Prince of Wales offering his Mediation for a Peace.] This day the lords agreed upon the following Letter, as an Answer to that from the Prince of Wales:

"May it please your Highness; I am commanded by the lords assembled in parliament, to return their humble acknowledgments for that Offer which your highness was pleased to make, in your Letter of the 5th instant, to interpose your Mediation with the king, your royal father, for the obtaining of all such Concessions and Acts, as, by the blessing of God, may most conduce to a firm and lasting Peace and the happiness of his majesty and all his people. The lords do take this expression as an argument of the hearty affection which you bear to your native country; and do conceive that nothing can more conduce to procure your highness an interest in the affections of all the people of England, than to steer all your motions in concurrence with those councils and

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resolutions that are taken in the parliament; which is, by the antient constitution of the government of this kingdom, the Great Council thereof. This being all I have in command, I take leave to subscribe myself, Your &c. NORTH, Speaker, pro tempore."

The Scots Army under the Duke of Hamilton routed by Cromwell.] Aug. 23. A Letter was received from lieut. general Cromwell, containing an Account of a complete Victory he had obtained over the Scots Army under the command of the duke of Hamilton, at and near Preston, in Lancashire. This Letter is in Rushworth, to which we refer.*—A Day of Thanksgiving was ordered throughout the whole kingdom, to Almighty God, for his wonderful great mercy and success bestowed upon the parliament's forces against the whole Scots Army, on the 17th, 18th, and 19th instant in Lancashire. The day to be the 7th of September, and that 10,000 Copies of a Paper entitled, 'The Particular occasions of the solemn Day of Thanksgiving, appointed to be kept throughout the Kingdom of England, and the Dominion of Wales, on Thursday, Sept. 7, 1648,' be printed and sent by the Members to the respective places for which they serve.

The Votes concerning the Treaty, as altered by the Commons.] Aug. 24. A Conference was held between the two houses, concerning the Votes about the Treaty with the King, when the commons said they agreed to some of them, but had made several Objections and Alterations to the others.—The Votes as altered by the Commons stood thus: 1. "That for opening a way towards a Treaty with his majesty for a safe and well-grounded Peace, the 4 Votes of Non-Address to the King be revoked and taken off. 2. That his majesty be desired to to send to the houses the Names of such persons as he shall conceive to be of necessary use to be about him during this Treaty; they not being persons excepted by the houses from pardon, or under restraint, or in actual war against the parliament by sea or land, or in such numbers as may draw any just cause of suspicion; and that his majesty shall be, in the Isle of Wight, in the same state and freedom as he was in when last at Hampton-Court. 3. That the houses do agree that such Domestic Servants, not being in the former limitations, as his majesty shall appoint to come to attend upon his majesty's person, shall be sent unto him. 4. That the town of Newport in the Isle of Wight, named by the king, be the place of this Treaty with his majesty. 5. That if the king shall think fit to send for any of the Scots nation, to advise with him concerning the affairs of the kingdom of Scotland only, the houses will give them a safe conduct; they not being persons under restraint in this kingdom, or in actual war against the parliament by sea or land, or in such numbers as may draw any just cause of suspicion. 6. That 5 lords and 10 members of the house of commons be Commissioners to treat with the king. 7. That the time for beginning the Treaty be within ten days after the king's assent to treat as is agreed, and to continue 40 days after the beginning thereof."—To all these Votes the lords returned for answer. "That their lordships, out of a desire to expedite the attaining of a speedy, safe, and well-grounded Peace, had receded from their former Votes, and concurred with them in all the Votes now brought up, with the alterations; and desired that they might be speedily sent to the king by sir Peter Killigrew." This was done accordingly the next day.

Aug. 25. The commons resolved, That 40,000*l.* be employed for the service of the Fleet; 7000*l.* for providing public stores of Powder; and 3000*l.* for paying the Lancashire Forces, that went out of that county to oppose the duke of Hamilton's Army: and that all these sums be paid out of the 100,000*l.* charged upon the Receipts at Goldsmiths-Hall and remaining due to the kingdom of Scotland, according to Agreement when they delivered up the King's Person to the English Commissioners. Thus the Scots, by their second invasion, lost one moiety of the Debt then owing to them for their first.

Intercepted Letter from the King to the Scots Parliament.] Aug. 26. A Resolution passed this day in the house of commons, relative to an Intercepted Letter of the King's, which is an instance of the highest affront put upon his majesty at the very time they were settling the preliminaries of Peace with him. In order to clear up this business, it is necessary to observe, That on the 8th of this month Complaint was made to the house of lords by Mr. Haliburton, a Scots officer sent by the Committee of Estates of that kingdom with their Declaration to the king and both houses of parliament, That the commons had ordered him to depart London in 24 hours, before he had obtained any Answer to the business he came about; whereupon the lords enlarged his time of stay for one month. But this giving umbrage to the commons, they desired a conference with the lords on the 14th, at which they represented, That capt. Haliburton was a dangerous person, employed by the declared enemies to the kingdom, from whom many Letters of dangerous consequence were taken, which were decyphered and communicated to the common-council of the city; and having delivered his Letters to his majesty, they conceived it necesary he should return to his own country, and not be protected here to do ill offices to this kingdom.—But the lords not receding from the indulgence they had granted to the captain, on the 16th the commons ordered him to be forthwith sent to the lord-Admiral, and that his lordship be desired to ship him off for Scotland by the first conveyance. The captain being informed of this design, embarked on board a vessel in the river, intending to join the prince of Wales; but was stopt at Tilbury fort and searched, and a Letter of the King's taken upon him. Colonel Temple

* Collections, vol. vii. p. 1237.

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having informed the house of all these particulars, and desiring their advice therein, it was ordered, That the Governor of Tilbury fort do deliver the said capt. Haliburton to the lord-admiral, to be sent home according to their former Order. Then the Intercepted Letter from the King was read, directed, "For the Lords and Gentlemen, Committees of the Scots Parliament, together with the Officers of that Army;" and a motion being made to deliver the Letter back to the captain, it passed in the negative, by 39 against 35. This Letter was not communicated to the lords, but ordered to be sealed up in a box; which accounts for its not being entered in the Journals of either house; nor is it taken notice of by Mr. Whitlocke or Mr Rushworth; but is printed at large by a Journalist of this time,* and agrees exactly with the copy thereof given in Royston's edition of the King's Works.

"Carisbrooke, July 31, 1648.

"My lords and gentlemen; It is no small comfort to me, that my native country hath so true a sense of my present condition, as I find expressed by your letter of the 8th of this month, and your Declaration, both which I received on Friday last. And the very same reason which makes you discreetly and generously at this time forbear to press any thing to me, hinders me likewise to make any particular professions unto you, lest it may be imagined that desire of liberty should now be the only secretary to my thoughts. Yet thus much I cannot but say, that as, in all human reason, nothing but a free personal Treaty with me can settle the unhappy distractions of these distressed kingdoms; so, if that could once be had, I would not doubt but that, by the grace of God, a happy Peace would soon follow: such force, I believe, true reason has in the hearts of all men, when it may be clearly and calmly heard; and I am not ashamed at all times to profess that it hath, and so shall be always want of understanding, not of will, if I do not yield to reason, whensoever and from whomsoever I hear it; and it were a strange thing, if reason should be less esteemed because it comes from me, which, truly, I do not expect from you; your Declaration seeming to me (and I hope your actions will prove that I am not deceived) to be so well grounded upon honour and justice, that albeit, by way of opinion, I cannot give a *placet* to every clause in it, yet I am confident upon a calm and friendly debate we shall very well agree.—To conclude: I cannot, for the present, better shew my thankfulness to you for the generous and loyal expressions of your affections to me, than by giving you my honest and sincere advice; which is, really and constantly, without seeking private ends, to pursue the public professions in your Declaration, as sincere Christians and good subjects ought to do; always remembering, that as the best foundation of loyalty is Christianity, so true Christianity teaches perfect loyalty; for without this reciprocation neither is truly what they pretend to be. But I am both confident that needs not to you, as likewise, that you will rightly understand this which is affectionately intended by Your assured Friend, CHARLES *R.*"

Col. Wayte's Account of the taking of the Duke of Hamilton Prisoner.] Aug. 28. Colonel Wayte, a member of the house of commons, and principally concerned in the taking of duke Hamilton, and 3500 horse prisoners with him, at Utoxeter, in Staffordshire, related the Particulars of that whole proceeding; and received the Thanks and Approbation of the house, as did also the lord Grey for their services therein.—So far the Journals: but the particulars of the Colonel's Narrative are thus set down by a Writer of these times.* "Colonel Wayte being the man to whom the Duke surrendered himself, reported to the house of commons that he hung whining so fast upon his shoulders, that he could not get rid of him; beseeching him to accept of him as his prisoner, and to secure him from the fury of the soldiery: that he took his George off his own neck, and gave it up to the colonel, and also his great seal of arms, desiring him to accept of them; but that he restored them to him again: that the colonel urging to him, What an unworthy thing it was in his lordship to invade England, in arms, against the parliament, by whose power and successes he had been rescued out of prison at Pendennis, and returned home into Scotland with freedom; he replied, That he was now invited to come in by a greater party of lords and commons than those of his countrymen who came in before. Upon this col. Wayte was asked, Whether the duke had named any? to which he replied, Mr. Speaker, as for my naming of persons, that may be done more conveniently at another time; for you know that the duke is a politic subtle lord, and, when he begins to consider the danger now attending him, if he be proceeded against with severity he will discover enough to save his own head."—Lord Clarendon† confirms col. Wayte's Narrative, by observing, "That the Duke neither behaved himself like a general, nor with that courage which he was never before thought to want; but made all submissions and all excuses to those who took him." And accordingly we find, in the commons Journals of this day, that some members of that house were authorized and required to examine the duke of Hamilton, and such other persons as they should think fit, touching the information of Invitations, by persons in England, for bringing in an Army of Scots to invade this kingdom. An Ordinance was also directed to be prepared for sequestering the Estates, real and personal, of all such Scots officers or gentlemen, that had been any way engaged on this occasion.

* Mercurius Pragmaticus, No. 25.

* Mercurius Pragmaticus, No. 23.

† History, vol. v. p. 160.

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The King's Letter to the Parliament, accepting their Offer of a Treaty.] Aug. 29. The King's Letter, declaring his Acceptance of a Treaty, was read, with a List of the Persons whom his majesty desired might come to him:

For the earl of Manchester, Speaker of the House of Peers, pro tempore, and Wm. Lenthall, Speaker of the House of Commons.

"My lord and Mr. Speaker; I have received your Letter of the 25th of this month, with the Votes that you sent me; which though they are not so full as I could have wished for the perfecting of a Treaty, yet because I conceive by what you have done that I am in some measure fit to begin one, such is my incessant and earnest desire to give a Peace to these my now distracted dominions, as I accept the Treaty; and therefore desire that such 5 lords and 10 commoners as my two houses shall appoint, be speedily sent, fully authorized and instructed to treat with me, not doubting but what is now wanting will, at our meeting, upon debate, be fully supplied, not only to the furtherance of this Treaty, but also to the consummating of a safe and well-grounded Peace. So I rest your good friend, Charles R. Carisbrooke, Aug. 28."

"Here inclosed I have sent you a List that ye have desired. I desire, in order to one of your Votes, that ye will send me a free pass for Parsons, one of the grooms of my presence-chamber, to go into Scotland; and that you would immediately send him to me to receive the dispatch thither."

LIST of the Persons desired by his Majesty to attend him in the Isle of Wight, above referred to.

Duke of Richmond, marq. of Hertford, earl of Lindsey, and earl of Southampton, gentlemen of my bed-chamber: George Kirke, James Levingstone, Henry Murray, John Ashburnham, and Wm. Legge, grooms of my bed-chamber: Tho. Davis, barber: Hugh Henne, Humphry Rogers, and Wm. Levett, pages of my back-stairs: John Rives, yeoman of my robes: sir Edw. Sydenham, Robert Terwhitt, and John Houston, equeries, with 4 or 6 of my footmen, as they find fittest to wait: Mrs. Wheeler, laundress, with such maids as she will chuse: —— Parsons, a groom of my presence: sir Foulke Greville, capt. Titus, capt. Burroughs, Mr. Cresset, —— Hanstead, Abraham Dowcett, and —— Firebrace, to wait as they did, or as I shall appoint them: bishop of London, (Dr. Juxon) bishop of Salisbury, (Dr. Duppa) Dr. Sheldon, Dr. Hammond, Dr. Holdsworth, Dr. Sanderson, Dr. Turner, and Dr. Heywood, chaplains: sir Tho. Gardiner, sir Orlando Bridgman, sir Robert Holborne, Mr. Jeffrey Palmer, Mr. Tho. Cooke, and Mr. John Vaughan, lawyers: sir Edw. Walker, Mr. Philip Warwick, Nich. Oudart, and Ch. Whittacre, clerks and writers: Peter Newton and Clemens Kenersley, to make ready the house for treating.

Surrender of Colchester.] Aug 31. This day, a Letter was received from lord Fairfax, containing an account of the Surrender of Colchester. Upon which, the lords ordered that Letter be written to the General to return him Thanks for his good service in reducing the town and garrison of Colchester; and to desire him to send the lords Goring and Capel to Windsor-Castle, there to be kept in safe custody, being taken in actual war against the parliament.

Debate in the Commons, on the Instructions for the Commissioners appointed to treat with the King.] September 1. This month begins with a Debate in the house of commons, upon the following Instructions to be sent to their Commissioners appointed to treat personally with the King, in the Isle of Wight.

I. "You shall repair to Newport in the Isle of Wight, where you, or any 8 of you, whereof two lords shall be present, are to treat with his majesty for the space of 40 days, from the beginning of the said Treaty, on the Propositions which were presented to his majesty at Hampton-Court, concerning the kingdoms of England and Ireland, and for taking away of Wards and Liveries, now delivered unto you, and such other Propositions as by both houses of parliament shall be agreed upon. II. You shall receive such Propositions as his majesty shall offer, and forthwith transmit them to both houses of parliament, that you may have further directions from them how to proceed thereupon. III. You shall proceed to treat upon the Propositions for recalling Declarations, &c. the Propositions concerning the Church, the Propositions concerning the Militia, the Propositions concerning Ireland, in the first place, in order, and receive the King's Answer to each of them; and upon the rest in the same order at they are now placed. IV. You shall use your best endeavours that the afore-mentioned Propositions may be agreed unto, without receding from the matter of them. V. You shall deliver your Demands, and receive his majesty's Answer to them, in writing. VI. You shall give frequent advertisement to both houses of your proceedings in this Treaty."

These Instructions being read,

Mr. *Boys* moved, 'That those Propositions which concerned the interest of the houses might be first insisted on; and that, if the king should refuse to give his positive consent unto them, there might be no further proceeding in the Treaty.' This motion was seconded by

Mr. *Prideaux*, who, in support thereof gave for reason, 'That if they did not take this course, the king would debate every Proposition, and then suspend his consent to the last.' To which it being answered, 'That it was contrary to the mode of all transactions of state by way of Treaty, to demand a confirmation of any one particular, till an agreement be concluded upon all in general,' the motion made by Mr. Boys was laid aside: but another was started, 'That whereas there were 40 days

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allowed for the Treaty, the days might be divided; and certain Propositions named to be set apart for such and such a day, proportionable to the number of days and of the Propositions.' But this being apprehended to be a design to limit the debates of those particulars which were of greatest concernment, and confine them to a narrow compass of time, thereby to destroy the freedom and fruit of this Treaty, it was so resolutely opposed by all such members as were really inclined to Peace, that this motion also was over-ruled. Hereupon

Mr. *Hoyle* of York, stood up and said, 'Mr. Speaker, I cannot but tremble to think what may be the success of this Treaty, which many gentlemen here are so willing to forward; for my part, I conceive it may be a means to destroy us all, it being utterly unsafe and dangerous for us to make any Peace with this King at all.' But it being apprehended that this gentleman's principal reason for opposing a Treaty, was because he then enjoyed an Office in the Exchequer, from which the parliament had removed sir Tho. Fanshaw, which he feared might revert to the former possessor, in case of a Peace; another gentleman thereupon spoke thus: 'Mr. Speaker, I, for my part, envy not those gentlemen that enjoy great offices by the favour of the house, being, I thank God, contented with my own estate, and desire nothing of others: but, because we are now upon a Treaty to give satisfaction to the people, and that I find it to be the general opinion abroad, that those members who enjoy great places, are enemies to Peace, and keep the war on foot for their own profit; and because his majesty himself, in that discourse which he had with our Commissioners who carried the first Votes to him for this Treaty, told them, 'He did not fear that Peace would be 'obstructed by any but such as are gainers by 'the war;' therefore my humble motion is, That no such gentlemen may be employed as Commissioners in this Treaty.' To this it was only replied, 'That the house had pitched upon their Commissioners already;' and the Speaker fearing a dangerous scuffle might grow upon this motion, if the debate was not prevented, thought meet to adjourn till the next day.

Sept. 2. Both houses agreed that all the Persons mentioned in the King's List should have leave to attend his majesty, except Mr. John Ashburnham, he standing in the first exception from pardon, Mr. Wm. Legg, Mr. Abraham Dowcett, Dr. Sheldon, Dr. Hammond, and Dr. Holdsworth, as being under restraint. They also read over and approved a List of ordinary Servants to be sent to the king, consisting of two coachmen, two grooms, one farrier, one surveyor of the stables, one purveyor, and one sumpter man of the robes.

The Parliament's Letter to the King, advising him of the appointment of Commissioners.] The same day, the parliament resolved to send the following Letter to the King by sir Peter Killegrew:

"May it please your majesty; Your two houses of parliament have commanded us to acquaint your majesty that they have appointed the earls of Northumberland, Pembroke, Salisbury, and Middlesex, and the lord viscount Say and Sele, members of the house of peers; Tho. lord Wenman, Mr. Denzil Hollis, Mr. Wm. Pierpoint, sir Henry Vane, jun. sir Harbottle Grimstone, sir John Potts, Mr. John Crewe, Mr. Samuel Browne, Mr. John Glynne recorder of the city of London, and Mr. John Bulkley, members of the house of commons, to treat with your majesty at Newport in the Isle of Wight; and although they cannot come within the time before appointed, yet they shall give their Attendance with all convenient speed. Your Majesty's &c. Sept. 2."

The Commons resolve to transport the Soldiers taken Prisoners in the Scots Army.] Sept. 4. The number of Scots Prisoners, taken at the defeat of the duke of Hamilton, in Lancashire, being more than the country could possibly maintain, a committee of the house of commons had been appointed to consider of some method to dispose of the common Soldiers of that army; and it was proposed to engage with merchants for transporting abroad such of them as appeared not to have been forced men, which the house agreed to; and this day it was resolved, "That the Committee do take care, in the first place, to supply the English Plantations, and then dispose of the rest to Venice; taking special security that none of them be transported to other places, or return to the prejudice of this kingdom; and that the contractors, within 14 days after such contract made, do disburden the kingdom from any charge of maintaining those prisoners."

A Day of Humiliation was ordered to be observed the 12th of this month, to beg God's Blessing on the Treaty.

Ordinance for granting 3000l. to Col. Lilburne.] Sept. 5. The Journals of this day take notice of a Division in the commons relative to the famous col. Lilburne. It may be remembered that, in the beginning of last month, the house took his case into consideration, and passed several Votes in his favour: in consequence of which an Ordinance was brought in for raising 3000*l.* out of the real estate of the late lord-keeper Coventry, towards the reparation and damages the colonel had sustained by two Sentences given against him in the late court of Star-Chamber, the one Feb. 13, 1637, and the other April 18, 1638. The Ordinance being this day read a second time, a motion for its being committed was carried in the negative by 33 against 15; and, instead of passing it, the house ordered that Lands be settled upon col. Lilburne and his heirs, to the value of 3000*l.* at 12 years purchase, out of the Estates of Delinquents, in the late Insurrections, not yet sequestered. Mr. Rushworth observes only, That the commons disagreed in the manner of raising this money; but another con-

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temporary* gives a very extraordinary reason for altering the colonel's security. "The lord Coventry's estate, his father having been one of the Star-Chamber Judges, was designed to pay Lilburne's Fine; but sir Henry Vane, sen. having consulted with the earls of Pembroke and Salisbury about this business, and fearing this precedent might in time reach their Estates too, prevailed by their friends so far, that lord Coventry's Estate might be exempted, and some other course taken to raise the money."—This Account seems no wise improbable, because sir Henry Vane and the two earls had frequently sat as Judges in the Star-Chamber Court; though since the meeting of this parliament they joined in the measures against the king.

The King's Answer to the Parliament's Letter concerning the Appointment of Commissioners.] Sept. 8. A Letter from the King to the Speakers of the two houses was read, and ordered to be communicated to the commons:

"Carisbrooke, Sept. 5, 1648.

"My lord and Mr. Speaker: I have received your Letter of the 2nd of this month, containing the Names of those who are to treat with me; and though they do not come at the time appointed, I shall not wonder; at first judging it so short in respect of my two houses, not of myself, that I did not imagine it could be kept, as I then commanded sir Peter Killegrew to tell you by word of mouth: and therefore it shall be far from me to take exceptions for their having elapsed the appointed time; for God forbid that either my two houses or I should carp at circumstances to give the least impediment to this Treaty, much less to hinder the happy finishing of it: I say this the rather, because I know not how it is possible (in this I shall wish to be deceived) that, in 40 days treaty, the many distractions of these kingdoms can be settled; and, if so, it were more than strange that time enough should not be given for the perfecting of this most great and good work; which as I will not believe can be stuck on by my two houses, so I am sure it shall never be by Your good Friend CHARLES *R.*—P. S. I think fit to tell you, because I believe that in this Treaty there will be need of Civil Lawyers, I have sent for my Advocate Ryves and Dr. Duck."

A Petition to the Commons against any Treaty with the King, praying that House to declare themselves to be the Supreme Authority of the Nation, &c.] Sept. 11. The following extraordinary Petition was presented to the house of commons: Mr. Henry Marten is said to have been the penman on this occasion.

To the Right Honourable the Commons of England in Parliament assembled: The Humble PETITION of Thousands of well-affected Persons inhabiting the City of London, Westminster, the Borough of Southwark, Hamlets, and Places adjacent,

"Sheweth, That although we are as earnestly desirous of a safe and well-grounded Peace, and that a final end were put to all the troubles and miseries of the commonwealth, as any sort of men whatsoever; yet considering upon what grounds we engaged on your part in the late and present wars, and how far, by our so doing, we apprehend ourselves concerned, give us leave, before you conclude us by the Treaty in hand, to acquaint you, 1. With the Ground and Reason which induced us to aid you against the King and his Adherents; 2. What our apprehensions are of this Treaty; 3. What we expected from you, and do still most earnestly desire.—Be pleased therefore to understand, that we had not engaged on your part, but that we judged this honourable house to be the Supreme Authority of England, as chosen by, and representing, the people; and intrusted with absolute power for redress of Grievances, and provision for Safety; and that the king was but at the most the chief public officer of this kingdom, and accountable to this house, the representative of the people, from whom all just authority is, or ought to be derived, for discharge of his office: and if we had not been confident hereof, we had not been so desperately mad as to have taken up arms, or to have been aiding and assisting in maintaining a war against him; the laws of the land making it expressly a crime, no less than treason, for any to raise war against the king.—But when we consider the manifold oppressions brought upon the nation by the king, his lords, and bishops; and that this honourable house declared their deep sense thereof: and that, for continuance of that power which had so oppressed us, it was evident the king intended to raise forces, and to make war, and that if he did set up his standard, it tended to the dissolution of the government: upon this, knowing the safety of the people to be above law, and that to judge thereof appertained to the supreme authority, and not to the supreme magistrate, and being satisfied in our consciences, that the public safety and freedom was in imminent danger, we concluded we had not only a just cause to maintain, but the supreme Authority of the Nation to justify, defend, and indemnify us in time to come, in what we should perform by direction thereof, though to the highest.—And as this our understanding was begotten in us by principles of right reason, so were we confirmed therein by your own proceedings; as by your condemning those Judges, who, in the case of Ship-Money, had declared the king to be judge of safety; and by your denying him to have a negative voice in the making of laws; where you wholly exclude the king from having any share in the supreme Authority; then by your casting the Bishops out of the house of lords, who, by tradition also, had been accounted an essential part of the supreme Authority; and by your declaring to the lords, That if they would not join with you in settling the Militia, which they long refused, you would settle it without them; which you could not justly have done, had they

* Mercurius Pragmaticus, N° 24.

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had any real share in the supreme Authority.—These things we took for real demonstrations that you undoubtedly knew yourselves to be the supreme Authority; ever weighing down in us all other your indulgent expressions concerning the king or lords; it being indeed impossible for us to believe that it can consist either with the safety or freedom of the nation, to be governed either by two or three supremes; especially where experience hath proved them so apt to differ in their judgments concerning Freedom or Safety, that the one hath been known to punish what the other hath judged worthy of reward; when not only the freedom of the people is directly opposite to the prerogatives of the king and lords, but the open enemies of the one have been declared friends by the other, as the Scots were by the house of lords.—And whereas most of the Oppressions of the Commonwealth have, in all times, been brought upon the people by the king and lords, who nevertheless would be so equal in the supreme Authority, as that there could be no redress of Grievances, no provision for Safety, but at their pleasure: for our parts, we profess ourselves to be so far from judging this to be consistent with freedom or safety, that we know no greater cause wherefore we assisted you in the late wars, but in hopes to be delivered by you from so intolerable, so destructive a bondage, as soon as you should, through God's blessing upon the armies raised by you, be enabled.—But, to our exceeding grief, we have observed that no sooner God vouchsafeth you victory, and blesseth you with success, and thereby enableth you to put us and the whole nation into an absolute condition of Freedom and Safety, but, according as ye have been accustomed, passing by the ruin of the nation, and all the blood that hath been spilt by the king and his party, ye betake yourselves to a Treaty with him; thereby putting him, that is but one single person, and a public officer of the common-wealth, in competition with the whole body of the people, whom ye represent, not considering that it is impossible for you to erect any authority equal to yourselves; and declared to all the world that you will not alter the antient government from that of king, lords, and commons; not once mentioning, in case of difference, which of them in Supreme, but leaving that point, which was the chiefest cause of all our public differences, disturbances, wars, and miseries, as uncertain as ever.—Insomuch as we, who, upon these Grounds, have laid out ourselves every way to the uttermost of our abilities; and all others throughout the land, soldiers and others, who have done the like in defence of your supreme Authority, and in opposition to the king, cannot but deem ourselves in the most dangerous condition of all others, left without all plea of indemnity for what we have done; as already many have found by loss of their lives and liberties either for things done or said against the king; the law of the land frequently taking place and precedency, against and before your authority, which we esteemed supreme, and against which no law ought to be pleaded. Nor can we possibly conceive how any that have any ways assisted you can be exempt from the guilt of murderers and robbers, by the present laws in force, if you persist to disclaim the supreme Authority; though their own consciences do acquit them, as having opposed none but manifest tyrants, oppressors, and their adherents.—And whereas a Personal Treaty, or any treaty with the king, hath been long time held forth as the only means of a safe and well-grounded Peace; it is well known to have been cried up, principally by such as have been always disaffected unto you; and though you have not contradicted it, yet it is believed that you much fear the issue thereof, as you have cause sufficient, except you see greater alteration in the king and his party than is generally observed; there having never yet been any Treaty with him, but was accompanied with some under-hand dealing; and whilst the present force upon him, though seeming liberty, will in time to come be certainly pleaded against all that shall or can be agreed upon: Nay, what can you confide in, if you consider how he hath been provoked; and what former kings, upon less provocations, have done, after oaths, laws, charters, bonds, excommunications, and all ties of reconciliations, to the destruction of all those that had provoked and opposed them? Yea, when yourselves, so soon as he had signed those Bills in the beginning of this parliament, saw cause to tell him, That even in or about the time of passing those Bills, some design or other was on foot, which if it had taken effect, would not only have rendered those bills fruitless, but have reduced you to a worse condition of confusion than that wherein the parliament found you. And if you consider what new wars, risings, revoltings, invasions, and plottings have been since this last cry for a Personal Treaty, you will not blame us if we wonder at your hasty proceedings thereunto; especially considering the wonderful Victories which God hath blessed your armies withal.—We profess we cannot chuse but stand amazed to consider the inevitable danger we shall be in, though all things in the Propositions were agreed unto; the resolutions of the king and his party have been so perpetually, violently, and implacably prosecuted and manifested against us; and that with such scorn and indignation, that it must be more than such ordinary bonds that must hold them. And it is no less a wonder to us, that you can place your own security therein, or that you can ever imagine to see a free parliament any more in England.—The truth is, and we see we must either now speak it, or for ever be silent, we have long expected things of another nature from you, and such as we are confident would have given satisfaction to all serious people of all parties. As, 1. That you would have made good the supreme Authority of the peo-

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ple in this honourable house from all pretences of negative voices, either in the king or lords, 2. That you would have made Laws for Election of Representatives yearly, and of course, without writ or summons. 3. That you would have set express times for their meeting, continuance, and dissolution, as not to exceed 40 or 50 days at the most; and to have fixed an express time for the ending of this present parliament. 4. That you would have exempted matters of Religion and God's Worship from the compulsive or restrictive power of any authority upon earth, and reserved to the supreme Authority an uncompulsive power only of appointing a way for the public, whereby abundance of misery, persecution, and heart-burning would for ever be avoided. 5. That you would have disclaimed in yourselves, and all future representatives, a power of pressing and forcing any sort of men to serve in wars; there being nothing more opposite to freedom, nor more unreasonable in any authority impowered for raising monies on all occasions, for which, and a just cause, assistants need not be doubted, the other way serving rather to maintain injustice and corrupt parties. 6. That you would have made both kings, queens, princes, dukes, earls, lords, and all persons, alike liable to every law of the land, made or to be made; that so all persons, even the highest, might fear and stand in awe, and neither violate the public peace, nor private right of person or estate, as hath been frequent, without being liable to account as other men. 7. That you would have freed all commoners from the Jurisdiction of the Lords in all cases; and to have taken care that all Trials should be only by 12 sworn men, and no conviction but upon two or more sufficient known witnesses. 8. That you would have freed all men from being examined against themselves, and from being questioned or punished for doing of that against which no law hath been provided. 9. That you would have abbreviated the proceedings in law, mitigated and made certain the charge thereof in all particulars. 10. That you would have freed all Trade and Merchandizing from Monopolizing and Engrossing, by companies or otherwise. 11. That you would have abolished Excise, and all kind of taxes except Subsidies, the old and only just way of England. 12. That you would have laid open all late inclosures of Fens and other Commons, or having inclosed them only or chiefly to the benefit of the poor. 13. That you would have considered the many thousands that are ruined by perpetual Imprisonment for Debt, and provided for their Enlargement. 14. That you would have ordered some effectual course to keep people from begging and beggary, in so fruitful a nation as, through God's blessing, this is. 15. That you would have proportioned Punishments more equal to offences, that so men's lives and estates might not be forfeited upon trivial and slight occasions. 16. That you would have removed the tedious burthen of Tythes, satisfying all impropriators, and providing a more equal way of maintenance for the public Ministers. 17. That you would have raised a stock of money out of those many confiscated Estates you have had, for payment of those who contributed voluntarily above their abilities, before you had provided for those that had disbursed out of their superfluities. 18. That you would have bound yourselves and all future parliaments from abolishing Property, levelling men's Estates, or making all things common. 19. That you would have declared what the duty or business of the Kingly Office is, and what not; and ascertained the Revenue past increase or diminution, that so there might never be more quarrels about the same. 20. That you would have rectified the Election of public Officers of the city of London, and of every particular company therein, restoring the commonalty thereof to their just rights, most unjustly witheld from them, to the producing and maintaining of corrupt interest, opposite to common freedom, and exceedingly prejudicial to the trade and manufactures of this nation. 21. That you would have made full and ample reparations to all persons that had been oppressed by sentences in High Commission, Star-Chamber, and Council-Board, or by any kind of Monopolizers or Projectors; and that out of the Estates of those that were authors, actors, or promoters of so intolerable mischiefs; and that without much attendance or seeking, 22. That you would have abolished all Committees, and have conveyed all businesses into the true method of the usual trials of the commonwealth. 23. That you would not have followed the example of former tyrannous and superstitious parliaments, in making Orders, Ordinances, or Laws, or in appointing punishments concerning opinions or things supernatural, stiling some Blasphemies, others Heresies; when as you know yourselves easily mistaken, and that divine truths need no human helps to support them: such proceedings have been generally invented to divide the people amongst themselves, and to affright men from that liberty of discourse by which corruption and tyranny would be soon discovered. 24. That you would have declared what the business of the Lords is, and ascertain their condition, not derogating from the liberties of other men, that so there might be an end of striving about the same. 25. That you would have done justice upon the capital authors and promoters of the former or late wars, many of them being under your power; considering that mercy to the wicked is cruelty to the innocent, and that all your lenity doth but make them the more insolent and presumptuous. 26. That you would have provided constant Pay for the Army now under the command of the lord-general Fairfax, and given rules to all Judges and all other public officers throughout the land, for their indemnity, and for the saving harmless all that have any ways assisted you, or that have said or done any thing against the king, queen, or any

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of his party, since the beginning of this parliament; without which any of his party are in a better condition than those that have served you, nothing being more frequent with them than their reviling of you and your friends.—The things and worthy acts which have been done and atchieved by this Army and their adherents, (however ingratefully suffered to be scandalized as Sectaries, and men of corrupt judgments) in defence of the just authority of this honourable house, and of the common liberties of the nation, and in opposition to all kind of tyranny and oppression; are so far from meriting an odious Act of Oblivion, that they rather deserve a most honourable act of perpetual remembrance, to be as a pattern of public virtue, fidelity, and resolution to all posterity. 27. That you would have laid to heart all the abundance of innocent blood that hath been spilt, and the infinite spoil and havock that hath been made of peaceable harmless people, by express commissions from the king; and seriously to have considered whether the justice of God be likely to be satisfied, or his yet-continuing wrath appeased by an act of oblivion.—These, and the like, we have long time hoped you would have minded; and have made such an establishment for the general Peace and contentful satisfaction of all sorts of people, as should have been to the happiness of all future generations; and which we most earnestly desire you would set yourselves speedily to effect; whereby the almost dying honour of this most honourable house would be again revived, and the hearts of your petitioners and all other well-affected people be afresh renewed unto you; the freedom of the nation, now in perpetual hazard, would be firmly established; for which you would once more be so strengthened with the love of the people, that you should not need to cast your eyes any other ways, under God, for your security: but if all this availeth nothing, God be our guide, for man sheweth us not a way for our preservation."

The Journals take no notice of any Answer being given to this Petition. Mr. Rushworth and Mr. Whitlocke both agree in saying, "That the house gave the petitioners Thanks for their great pains and care for the public good of the kingdom, and said they would speedily take their Desires into consideration." But this seems to be a mistake, for we find by a contemporary Journalist,* That on the 13th a second Petition was presented to the house from the same persons who presented the former, attended with some inferior officers of the Army, in these words:

To the Right Hon. the COMMONS of England in Parliament assembled: The Humble PETITION of the Presenters of the late large Petition, presented to this Honourable House upon Monday last, being the 11th of September, 1648,

* Sheweth; That we judge ourselves, and all who have cordially assisted you in the late or present wars, so much concerned in the matters contained in our said large Petition, as that thereon depend not only the lives, liberties, and estates of all that have adhered unto you, but also the peace, freedom, and prosperity of the commonwealth. And therefore, considering the weight and necessity thereof, in this instant of time, together with our constant faithfulness to the true interest of this honourable house in your greatest extremities, we cannot but grieve that we should now, in any respect, appear so inconsiderable in ourselves, or so immaterial in the Petition, that (having received and read the same) neither it nor we should be thought worthy of the least testimony of your regard to either. The which your unaccustomed bearing towards well-affected petitioners, and the danger we conceive ourselves and the cause we have defended to be in until we know what your sense and resolutions are upon the particulars thereof, hath necessitated this our humble and speedy re-address. Earnestly praying that you will be pleased to reassume the consideration of the whole and every part of the said Petition, before you proceed with the Treaty intended; and that you would favour your petitioners, who have not preferred their lives before your preservation, so far as to let them understand your acceptation and intentions thereupon; that so we may neither become a prey nor yet a by-word to our enemies, for our affection to the common welfare of the nation. And as in duty bound we shall pray, &c."

Our Author proceeds thus: "After the delivering of this Petition, the persons who presented it finding no inclination in the house to give them any Answer, they became so bold as to clamour at the very door against such members as they conceived cross to their designs; and said they resolved to have their large Petition taken into consideration before a Treaty; that they knew no use of a King or Lords any longer; and that such distinctions were the devices of men, God having made all alike; adding further, That many thousands would spend their blood in the maintenance of these principles; and that 40,000 had subscribed the Petition, but they conceived 5000 horse would do more good in it. In the midst of these rodomontadoes, to countenance and encourage them, several of their Fraternity among the members appeared, as Mr. Scot, Mr. Blackiston, Mr. Weever, and particularly Mr. Brian Stapylton, who told a gentleman that was walking with him in the Court of Requests, 'That to his knowledge there were 40,000 hands to the Petition; and that the house must yield to them, or else it might be too hot to hold such as opposed it; and that he wondered what they meant to go on with a Treaty, seeing no safety could be expected in a Peace with this king.' This, and much more, was proclaimed likewise by the petitioners at the door, to give the world to understand, that they intended this Petition as a

* Mercurius Pragmaticus, No. 25.

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preamble to the ruin of his majesty and of monarchy."

The Parliament's Commissioners set out for the Isle of Wight.] The commissioners being set out for the Isle of Wight, both houses adjourned de die in diem, without doing much business to our purpose. The King, in the mean time, had sent a Letter to them, desiring a safe Conduct, with blanks, for such persons as the commissioners of the parliament of Scotland should make choice of to attend him, by whom he might be informed of the present state and condition of affairs in that kingdom. This request the commons denied, as being subject to many inconveniences; which the King understanding, he sent another Letter, and, to avoid all dispute, named the persons whom he would have to come to him; who were the lord Carnegy, sir Alex. Gibson, knt. lord clerk register, and sir James Carmichael, knt. treasurer deputy, and their attendants. The houses consented only to the last, the two former having been in arms against the parliament.

Account of some Circumstances which passed between the King and the Parliament's Commissioners previous to the Treaty.] Lord Clarendon gives a very particular Narrative of the Circumstances previous to the Treaty, which as they tend greatly to illustrate the proceedings between the King and the Commissioners, we shall copy in his own words:* "The Commissioners for the Treaty arrived in the Isle of Wight upon the 15th of September, whilst Cromwell yet remained in his Northern progress, and his Army divided into several parts for the finishing his conquest; which was the reason that all they who wished ill to the Treaty, and that it might prove ineffectual, had used and interposed all the delays they could that he might return before it began; as they who wished it might succeed well, were as solicitous that it might be concluded before that time, which made them the less to insist upon many particulars both in the Propositions and the Instructions, which they hoped might be more capable of remedies in the Treaty than before it.—They staid three days in the Island before the Treaty begun, which was time little enough to prepare the house for the king's reception at Newport, and adjusting many circumstances of the Treaty. In that time they waited several times on the king, with great shew of outward duty and respect; and though none of them durst adventure to see the king in private, they communicated freely with some of those lords and others, who, with the parliament's leave, were come to attend the king during the time of the Treaty: and so they found means to advertise his majesty of many particulars which they thought necessary for him to know, which made different impressions upon him, as the information proceeded from persons better or worse affected to him: and many of those who had liberty to attend, were competent considerers of the truth of what they said.—The truth is, there were amongst the commissioners many who had been carried with the violence of the stream, and would be glad of those concessions which the king would very chearfully have granted, an Act of Indemnity and Oblivion being what they were principally concerned in. And of all the rest, who were more passionate for the Militia, and against the Church, there was no man, except sir Harry Vane,* who did not desire that a peace might be established by that treaty; for as all the other lords desired, in their own natures and affections, no more than that their transgressions might never more be called to remembrance; so the lord Say himself (who was as proud of his quality, and of being distinguished from other men by his title, as any man alive) well foresaw what would become of his peerage if the Treaty proved ineffectual, and the Army should make their own Model of the government they would submit to, as undoubtedly they resolved shortly to do; and therefore he did all he could to work upon the king to yield to what was proposed to him, and afterwards upon the parliament to be content with what his majesty had yielded. But the advice they all gave, of what inclinations or affections soever they were, was the same, 'That his majesty should forthwith, and without delaying it to the expiration of the term assigned by the parliament for the Treaty, which was 40 days, yield to the full demands which were made in the Propositions.' Their only argument was, 'That if he did not, or not do it quickly, the Army would proceed their own way, and had enough declared that they would depose the king, change the government, and settle a republic by their own rules and invention.' And this advertisement was as well believed by those of the king's own party, as by the commissioners themselves.—Before the Treaty begun the commissioners made it known to the king, 'That they could not admit that any person should be present in the room where the Treaty should be in de-

* History, vol. v. p. 208.

* Burnet says, "That Vane, Pierpoint, and some others went to the Treaty on purpose to delay matters till the Army could be brought up to London. All that wished well to the Treaty prayed the King at their first coming to dispatch the business with all possible haste, and to grant, the first day, all that he could bring himself to grant on the last. Hollis and Grimston told me, that they had both on their knees begged this of the king. They said, they knew Vane would study to draw out the Treaty to a great length; and he, who declared for an unbounded liberty of conscience would try to gain on the king's party by the offer of a toleration for the Common Prayer and the Episcopal Clergy. His design in that was to gain time, till Cromwell should settle Scotland and the North." History of His Own Times. vol. 1. p. 44.

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bate: that they were Commissioners sent from the parliament to treat with his majesty, and with him alone; and that they might not permit any particular and private persons to oppose, or confer with them upon, the demands of the parliament:' so that albeit the parliament had given leave to several bishops and other Divines, and to many lawyers of eminency, to wait on his majesty, upon his desire, that they might instruct and inform him in all difficult cases which related to Religion or the Law of the land, they were like to be of little use to him now they were come, if they might not be present at the debate, and offer such advice to his majesty as, upon emergent occasions, he should stand in need of, or require from them. At last they were contented, and his majesty was obliged to be contented too, that they might stand behind a curtain, and hear all that was said; and when any such difficulty occurred as would require consultation, his majesty might retire to his chamber, and call those to him, with whom he would advise, to attend him; and might then return again into the room for the Treaty, and declare his own resolution. This was the unequal and unreasonable preliminary and condition to which the king was compelled to submit before the Treaty could begin."*

Proceedings of the Commissioners treating with the King in the Isle of Wight.] Sept. 20. A Letter from the Commissioners in the Isle of Wight, was read in the house of lords:

For the Right Hon. the Speaker of the House of Peers, pro tempore.

"My lord; After we had received your commands and our dispatch for the journey, we were careful to make the best haste we could; and came to Southampton upon Thursday night, where sir Peter Killigrew met us with a Message from the King, that his majesty was glad we were so near arriving, and was so desirous no time should be lost upon the Treaty, that he would be ready and willing to begin it either on Saturday or Monday; but thought Monday would be the fittest day, in regard we might come too late on the Friday, and not be so settled as to begin next day; to which we returned this Answer, which he carried back next morning, That we would speed our passage the next day into the island, and hoped it would be in good time, and then should be ready to attend his majesty, and to go on with the Treaty, either on Saturday or Monday, as he would please to command us: accordingly we passed the next day, but the tide so fell out that it was very late before we got to Newport; when immediately we gave his majesty notice of our arrival, and that we waited his pleasure for our attendance on him. He sent us word, It should be the next day, being Saturday, in the morning, betwixt 9 and 10; at which time we repaired unto him, and my lord of Northumberland acquainted him, that, by Order of both houses of parliament, we were come thither to attend him upon the Treaty, and were ready to attend him and begin it, either that day or Monday; to which he replied, He was very unwilling to lose any time in it, but yet he did not think fit to begin such a business on a piece of a day; therefore desired it might begin upon Monday at 9; which being the time appointed we shall not fail to observe, or any else hereafter which may give a dispatch or furtherance to the service, and to testify our obedience to all your lordships commands. Your, &c. NORTHUMBERLAND, PEMBROKE and MONTGOMERY, SALISBURY, MIDDLESEX, SAY and SELE. Newport, September 16."*

* Sir Philip Warwick, after reciting the names of the Parliament's Commissioners, and of those whom they allowed to attend his majesty at the Treaty, of which himself was one, writes thus: "The king's lords and gentlemen only stood about his chair, but were not to speak a word in his assistance, whilst he singly disputed with all the before-mentioned able men upon the several Heads of their Propositions. But if at any time the king found himself in need to ask a question, or that any of his lords thought fit to advise him in his ear to hesitate before he answered, he himself would retire into his own chamber; or one of us penmen, who stood at his chair, prayed him from the lords to do so; but more liberty than this his attendants were not allowed." Memoirs, p. 332.

* The following able summary, given by Mr. Hume, of the Proceedings between the King and the Commissioners, may not be unacceptable to the reader: "When the king presented himself to this company, (18th Sept.) a great and sensible alteration was remarked in his aspect, from what it appeared the year before, when he resided at Hampton-court. The moment his servants had been removed, he laid aside all care of his person, and had allowed his beard and hair to grow, and to hang dishevelled and neglected. His hair was become almost entirely grey; either from the decline of years, or from that load of sorrows under which he laboured, and which, though borne with constancy, inwardly preyed upon his sensible and tender mind. His friends beheld with compassion, and perhaps even his enemies, that grey and discrowned head, as he himself terms it, in a copy of verses, which the truth of the sentiment, rather than any elegance of expression, renders very pathetic. Having in vain endeavoured by courage to defend his throne from his armed adversaries, it now behoved him, by reasoning and persuasion, to save some fragments of it from these peaceful, and no less implacable negotiators. The vigour of the king's mind, notwithstanding the seeming decline of his body, here appeared unbroken and undecayed. The parliamentary commissioners would allow none of his counsel to be present, and refused to enter into reasoning with any but himself. He alone, during the transactions of two months,

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Sept 23. The further Proceedings of the Commissioners with the King, were read in the house of lords as follows:

"My lord; We gave your lordship an Account by our last, that, on Monday the 18th inst. the Treaty was to begin, which accordingly was observed; and for the progress made therein we refer to the several Papers herewith sent, amongst which your lordships will perceive that, in pursuance of our Commission and Instructions, we have distinguished the Propositions as they solely concern England and Ireland, for our own use and speedy dispatch of the Treaty; and did, in Answer to his majesty's Paper of the 18th inst. deliver him a Copy thereof; and although we have omitted the joint Declaration of both kingdoms, wherein the kingdom of Scotland is throughout involved, yet whether any part thereof shall be treated on, or of the Propositions for the Treaty betwixt both kingdoms, wherein, as they now stand, are many particulars which concern time to come, we humbly desire to know the pleasure of both houses, how they would have us proceed therein; conceiving it might be their intention that a Proposition be made to his majesty, that both houses of parliament, and all those that have acted by their authority in reference to these several Treaties betwixt the two kingdoms, may be justified and secured. The King hath given us a Paper in answer to ours, concerning the recalling all Oaths and Declarations, and which is yet under debate, whereof by the next, we shall give you a faithful Account, and rest, &c. Newport Sept. 21." [Signed as before.]

The COMMISSIONERS First Paper delivered to the King.

"May it please your Majesty: We having now made known unto your majesty our com-

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was obliged to maintain the argument against fifteen men of the greatest parts and capacity in both houses; and no advantage was ever obtained over him. This was the scene, above all others, in which he was qualified to excel. A quick conception, a cultivated understanding, a chaste elocution, a dignified manner; by these accomplishments he triumphed in all discussions of cool and temperate reasoning. 'The king is much changed,' said the earl of Salisbury to sir Philip Warwick: 'he is extremely improved of late.' 'No,' replied sir Philip, 'he was always so: but you are now at last sensible of it.' Sir Henry Vane, discoursing with his fellow-commissioners, drew an argument from the king's uncommon abilities, why the terms of pacification must be rendered more strict and rigid. But Charles's capacity shone not equally in action as in reasoning. The first point, insisted on by the parliamentary commissioners, was the king's recalling all his proclamations and declarations against the parliament, and the acknowledging that they had taken arms in their own defence. He frankly offered the former concession, but long scrupled the latter. The falsehood, as well as indignity, of that acknowledgment, begat in his breast an extreme reluctance against it. The king had, no doubt, in some particulars of moment, invaded, from a seeming necessity, the privileges of his people: but having renounced all claim to these usurped powers, having confessed his errors, and having repaired every breach in the constitution, and even erected new ramparts, in order to secure it; he could no longer, at the commencement of the war, be represented as the aggressor. However it might be pretended, that the former display of his arbitrary inclinations, or rather his monarchical principles, rendered an offensive or preventive war in the parliament prudent and reasonable; it could never, in any propriety of speech, make it be termed a defensive one. But the parliament, sensible that the letter of the law condemned them as rebels and traitors, deemed this point absolutely necessary for their future security: and the king, finding that peace could be obtained on no other terms, at last yielded to it. He only entered a protest, which was admitted; that no concession made by him should be valid, unless the whole treaty of pacification were concluded. He agreed, that the parliament should retain, during the term of twenty years, the power over the militia and army, and that of levying what money they pleased for their support. He even yielded to them the right of resuming, at any time afterwards, this authority, whenever they should declare such a resumption necessary for public safety. In effect, the important power of the sword was for ever ravished from him and his successors. He agreed, that all the great offices, during twenty years, should be filled by both houses of parliament. He relinquished to them the entire government of Ireland, and the conduct of the war there. He renounced the power of the wards, and accepted of 100,000*l.* a year in lieu of it. He acknowledged the validity of their great seal, and gave up his own. He abandoned the power of creating peers without consent of parliament. And he agreed, that all the debts contracted, in order to support the war against him, should be paid by the people. So great were the alterations made on the English constitution by this treaty, that the king said, not without reason, that he had been more an enemy to his people by these concessions, could he have prevented them, than by any other action of his life. Of all the demands of the parliament, Charles refused only two. Though he relinquished almost every power of the crown, he would neither give up his friends to punishment, nor desert what he esteemed his religious duty. The severe repentance which he had undergone, for abandoning Strafford, had, no doubt, confirmed him in the resolution never again to be guilty of a like error. His long solitude and severe afflictions had contributed to rivet him the more in those religious principles, which

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mission, by which we are authorized to treat with you personally upon the Propositions formerly presented at Hampton-Court, as they concern the kingdoms of England and Ireland only, and such other Propositions as are therein mentioned; do crave leave humbly to declare, That we are directed, by our Instructions, to treat upon them with your majesty for the space of 40 days, beginning this present day: And to proceed, in the first place, upon these Propositions following in order, viz. That for recalling and annulling all Oaths, Declarations, Proclamations, and other proceedings against both or either houses of parliament, or against any for adhering unto them; those concerning the Church, the Militia, and Ireland; and then upon the rest in the same order as they are now placed, and to receive your majesty's Answer in writing to each of them, being likewise enjoined to deliver all our Demands, and to receive your majesty's Answers, in writing. Wherefore we humbly pray, That nothing may be understood to be binding on either side, but what shall be set down in writing; and accordingly, we are ready to present unto your majesty a Paper concerning that first Proposition for recalling of Declarations. Sept. 18."

The KING's First Paper.

"C. R. Whereas the Commission read, refers to Propositions and Instructions thereupon, his majesty desires to have those Propositions to be delivered unto him, and Copies of the Instructions. Sept. 18."

The COMMISSIONERS Second Paper, concern-the First Proposition.

'We humbly desire of your majesty, to 'give your royal assent to this Proposition en-'suing, 'That whereas both houses of parlia-'ment have been necessitated to undertake a 'war in their just and lawful defence; and the 'kingdom of England hath entered into a So-

had ever a considerable influence over him. His desire, however, of finishing an accommodation induced him to go as far in both these particulars, as he thought any-wise consistent with his duty. The estates of the royalists being, at that time, almost entirely under sequestration, Charles, who could give them no protection, consented that they should pay such compositions as they and the parliament could agree on; and only begged that they might be made as moderate as possible. He had not the disposal of offices; and it seemed but a small sacrifice to consent, that a certain number of his friends should be rendered incapable of public employments. But when the parliament demanded a bill of attainder and banishment against seven persons, the marquis of Newcastle, lord Digby, lord Biron, sir Marmaduke Langdale, sir Richard Granville, sir Francis Doddington, and Judge Jenkins, the king absolutely refused compliance: their banishment for a limited time he was willing to agree to. Religion was the fatal point about which the differences had arisen; and of all others, it was the least susceptible of composition or moderation between the contending parties. The parliament insisted on the establishment of presbytery, the sale of the chapter lands, the abolition of all forms of prayer, and strict laws against catholics. The king offered to retrench every thing which he did not esteem of apostolical institution: he was willing to abolish archbishops, deans, prebends, canons: he offered that the chapter lands should be let at low leases during 99 years: he consented, that the present church government should continue during three years. After that time, he required not that any thing should be restored to bishops but the power of ordination, and even that power to be exercised by advice of the presbyters. If the parliament, upon the expiration of that period, still insisted on their demand, all other branches of episcopal jurisdiction were abolished, and a new form of church government must, by common consent, be established. The book of common prayer he was willing to renounce, but required the liberty of using some other liturgy in his own chapel: a demand which, though seemingly reasonable, was positively refused by the parliament. In the dispute on these articles, one is not surprised, that two of the parliamentary theologians should tell the king, 'That if he 'did not consent to the utter abolition of 'episcopacy, he would be damned.' But it is not without some indignation that we read the following votes of the lords and commons: "The houses, out of their detestation to that abominable idolatry used in the mass, do declare, that they cannot admit of, or consent unto, any such indulgence in any law, as is desired by his majesty, for exempting the queen and her family from the penalties to be enacted against the exercise of the mass." The treaty of marriage, the regard to the queen's sex and high station, even common humanity, all considerations were undervalued, in comparison of their bigoted prejudices. It was evidently the interest, both of king and parliament, to finish their treaty with all expedition; and endeavour by their combined force, to resist, if possible, the usurping fury of the army. It seemed even the interest of the parliament to leave in the king's hand a considerable share of authority, by which he might be enabled to protect them and himself from so dangerous an enemy. But the terms on which they insisted were so rigorous, that the king, fearing no worse from the most implacable enemies, was in no haste to come to a conclusion. And so great was the bigotry on both sides, that they were willing to sacrifice the greatest civil interests, rather than relinquish the most minute of their theological contentions. From these causes, assisted by the artifice of the independents, the treaty was spun out to such a length, that the invasions and insurrections were every where subdued; and the army had leisure to execute their violent and sanguinary purposes."

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'lemn League and Covenant to prosecute the 'same, an act of parliament may pass, where-'by all Oaths, Declarations, and Proclama-'tions, heretofore had, or hereafter to be had, 'against both or either of the houses of par-'liament, or against any for adhering unto 'them, or for doing or executing any office, 'place, or charge, by any authority derived 'from them; and all judgments, indictments, 'outlawries, attainders, and inquisitions in 'any of the said causes, and all grants there-'upon made or had, or to be made or had, be 'declared null, suppressed, and forbidden: 'And that this be publickly intimated in all 'parish churches, and other places needful, 'within your majesty's dominions of England 'and Ireland. Sept. 18.'

The KING's Second Paper.

"C. *R.* His majesty declares, That according to your desire, nothing shall be understood to be binding of either side, but what shall be set down in writing: and also further declares, That no Agreement put in writing, concerning any Proposition, or part of a Proposition, be binding, until the conclusion of the whole Treaty, unless that it be otherwise especially agreed. Sept. 18."

The COMMISSIONERS Third Paper, in Answer to the King's First.

"Whereas your majesty is pleased in your first Paper, to desire a Copy of the Propositions, and our Instructions thereupon: we humbly answer, That the Propositions themselves were formerly presented unto your majesty at Hampton-Court, and are, as we conceive, still in your own hands; excepting that for the Court of Wards, which hath been delivered unto you here in the Isle of Wight. And as to what concerns our Instructions, we do humbly say, That we have no warrant from the houses of parliament to deliver out any copy of them. Sept 18."

The KING's Third Paper.

"C. *R.* His majesty conceives the Answer to his Demands, for a Copy of your Propositions, not satisfactory, because you refer him to the Propositions formerly presented to him at Hampton-Court; which he having perused, finds most of those Propositions involve Scotland as well as England and Ireland; and yet your commission expresseth, that you are to treat in reference to England and Ireland only. Therefore he conceives it requisite that, before the Propositions or any of them be treated upon, he may see the Propositions intirely, and all together as they are to be treated on at this time, that thereby he may be the better able to give satisfaction in the following Treaty. Sept. 18.".

The COMMISSIONERS Fourth Paper, in Answer to the latter Part of the King's Second.

"As to the latter part of the second Paper delivered unto us this 18th instant, we shall acquaint the houses of parliament, that your majesty hath declared, That no Agreement put in writing concerning any Proposition, or part of a Proposition, be binding until the conclusion of the whole Treaty, unless it shall be otherwise especially agreed. Sept. 18."

The COMMISSIONERS Fifth Paper, tendering a Draught of the Propositions.

"As for your majesty's demand of seeing the Propositions entirely and all together, as they are to be treated on at this time, before they or any of them be treated upon; we do humbly answer, That we find not ourselves warranted by our Instructions to present unto your majesty our Desires concerning all the Propositions at once, or in any sort to treat upon them, but in order one after another; yet since we have prepared for our own use, and the better expediting of this Treaty, a draught of the Propositions separated from what concerns the kingdom of Scotland, and relating only to the kingdoms of England and Ireland, according to our Commission and Instructions, by which we are authorized for this service; to the end no prejudice may befal it, by reason of any delay, we do herewith tender unto your majesty a copy of the Propositions so distinguished, but with this Declaration of our intention therein, that it is not by way of Treaty, but out of an humble and earnest desire of giving your majesty satisfaction in view of those Propositions now, which are afterwards in their order and several places to be treated on, and upon such Papers as we shall deliver in concerning each of them; we being expressly prohibited by our Instructions to treat upon, or to receive Answer unto, any subsequent Proposition before there be a conclusion of that which went before: in observance whereof, we now humbly desire your majesty's Answer to our Paper delivered yesterday, concerning the Proposition for recalling all Declarations and other Proceedings against the parliament, or those who have acted by their authority. Sept. 19."

Sept. 26. A Letter with another packet of Papers from the Commissioners with the King in the Isle of Wight, was read and ordered to be sent to the commons:

For the Right Hon. the Speaker of the House of Peers, pro tempore.

"Newport, Sept. 25, 1648.

"My lord: We herewith present your lordships with the business of last week; and this morning your lordship will, amongst other Papers, receive one wherein his majesty doth declare that nothing that shall be put in writing, concerning any Proposition or part of a Proposition, shall be binding, prejudicial, or in any way made use of, if the Treaty break off upon any other Proposition, or part of a Proposition, unless it shall be otherwise especially agreed. We also formerly sent a Declaration of his majesty's to the like effect, we humbly desire to know the pleasure of the house thereupon, and shall most carefully and diligently obey their directions. We remain, &c."

The KING's Fourth Paper, in Answer to the Commissioners Second Paper.

"C. *R.* In Answer to your Paper of the 18th

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concerning the recalling of Oaths, Declarations, &c. his majesty will consent to an act of parliament, whereby all Oaths &c. be declared null, suppressed, and forbidden: and that this be publickly intimated in all parish churches, and other places needful, within his majesty's dominions of England and Ireland. Sept. 19."

The COMMISSIONERS Sixth Paper, insisting on the first Part of their Second Paper of the 18th.

"Having considered of your majesty's Paper of the 19th, to ours of the 18th concerning the recalling Oaths, Declarations, &c. we find that your majesty hath not yet given your Answer to an essential part of the Proposition contained in our Paper, being the ground upon which the said Oaths, Declarations, &c. are desired to be recalled, and expressed in these words, viz. 'Whereas both houses of parliament have 'been necessitated to undertake a war in their 'just and lawful defence, and that the king-'dom of England hath entered into a solemn 'League and Covenant to prosecute the same:'* we do therefore crave leave to insist upon this part of our former demand, having endeavoured, by this day's debate with your majesty, to shew how necessary a foundation your consent herein will be to a firm and durable Peace, and how great an expectation both houses and the kingdom have thereof; and do humbly pray, That your majesty will please to consent that these words before recited be part of the act of parliament for the recalling of Oaths, Declarations, &c. Sept. 20."

The KING's Fifth Paper.

"C. R. His Majesty desires to know whether you have any power to consent to any Omissions, or Alterations, if, in the matter of this or any other debate, he shall give such reasons as shall satisfy you for any such Omission or Alteration. Sept. 20."

The COMMISSIONERS Seventh Paper, in Answer to the KING's Fifth.

"We are ready, by debate, to shew how reasonable our desires are, and that there will be no reason that we should alter or recede from them; but if in the matter of this or any other debate, your majesty give such reasons as shall satisfy us for any Omissions or Alterations in the Papers we present to your majesty, we shall then do therein as we are warranted by our Instructions, which we have not power to make known, as we have declared in a former paper of the 13th. Sept. 20."

The KING's Sixth Paper.

"C. R. Albeit his majesty did shew a different opinion from you the Commissioners in the debate yesterday, yet he believes he made his desire of a thorough and constant Peace very apparent to you; for the end of all his arguments were how that all his subjects might remain, upon the conclusion of this Treaty, not only secure in their lives and estates by law, but also that all causes of future Fears and Jealousies might be taken away from them. And because his majesty finds very great difficulties to settle the minds of all sorts of people, he conceives that you cannot think it strange, though he does not give a very present Answer to this your last Paper of yesterday's date, received this morning; assuring you that he will lose no time in the using his utmost endeavours for the securing of all his subjects, there being nothing more in his thoughts than how to give a speedy as well as an happy conclusion to this Treaty. Sept. 21."

The KING's Seventh Paper.

"C. R. His majesty, by his Paper of the 18th declared, That no Agreement put in writing, concerning any Proposition or part of a Proposition, be binding until the conclusion of the whole Treaty, unless it shall be otherwise especially agreed. His majesty doth now farther declare, That nothing that shall be put in writing, concerning any Proposition or part of a Proposition, shall be binding, prejudicial, or in any manner made use of, if the Treaty break off upon any other Proposition or part of any Proposition, unless it shall be otherwise especially agreed. Sept. 25."

The KING's Eighth Paper.

"C. R. In Answer to the first Proposition given to his majesty on the 18th instant, his majesty doth consent thereto as is desired."

The COMMISSIONERS Eighth Paper.

"Having received two Papers from your majesty, dated the 25th inst.; in the first of which your majesty declares, That nothing that shall be put in writing concerning any Proposition or part of a Proposition, shall be binding, prejudicial, or in any manner made use of, if the Treaty break off upon any other Proposition or part of any Proposition, unless it shall be otherwise especially agreed:

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* "The lord Say, in the debate on this part of the first Proposition, twice repeated with more passion than was natural to his constitution, 'That he did tremble to think how sad the 'consequence would be, if what the commis-'sioners now pressed should be denied.' And others said, that it was no more than his majesty had heretofore granted in the act of indemnity that he had passed in Scotland; and if he should now refuse to do it in England, there would be a speedy end put to the Treaty, without entering upon any other Propositions. The king was so much perplexed, and offended with this haughty way of reasoning, that he told those with whom he consulted, and writ the same to the Prince his son, 'That the long restraint he had endured in the castle of Carisbrooke, was not a greater evidence of the captivity of his person, nor was he more sensible of it, than this was of the captivity of his mind, by his being forced to decline those Answers and Arguments which were proper to the support of his cause, and which must have brought blushes over the faces of the Commissioners, and to frame others more seasonable and fit to be offered to men in that condition from him who was to receive, and not give conditions." Lord Clarendon, v. 5. p. 212.

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and the second, that in Answer to the First Proposition given to your majesty on the 18th, your majesty doth consent thereto as is desired: we shall transmit these Papers, with the other proceedings passed in writing on the First Proposition, to both houses of parliament, and speedily go on in the Treaty according to our Instructions. Sept. 25."

Debate in the Commons on the King's Desire that no one Proposition be binding, if the Treaty break off upon another.] Sept. 26. The house of commons being called over according to a former Order, and there being a full appearance upon that occasion, the foregoing Papers from the Commissioners in the Isle of Wight were read, and then the house passed the following Vote, without a division, viz. "That nothing that shall be put in writing, concerning any Proposition, or part of a Proposition, shall be binding, prejudicial, or in any manner made use of, if the Treaty break off, upon any other Proposition, or part of a Proposition, unless it shall be otherwise specially agreed." And it was ordered that the lords concurrence be desired herein.—Our Parliamentary Journalist * informs us, "That though this Vote was passed in a full house, the like number not having been present for 12 months before, yet the Independents so ordered matters, that the carrying it up to the lords was retarded," (a circumstance confirmed by the Journals) "in hopes of canvassing it over again in a thin house." And Mr. Whitlocke observes, that several members, after they were called over, left the town the same day, which gives him occasion to pray God to forgive their negligence. This desertion gave such spirits to the Independents, that, on Thursday the 28th of this month,

Mr. *Nathaniel Stephens* stood up and said, 'Mr. Speaker, I beg leave to offer a word against what was debated here on Tuesday last; I mean the King's Desire, wherein he hath declared, That nothing concluded in part should be binding, unless the whole be agreed on by Treaty: if this should be assented to, it will bring many inconveniences and dangers upon us.'—To which a Member answered, 'He was greatly surprized that any gentleman should presume to break the orders of parliament, so far as to stir in a business concluded by Vote of the house two days before; and therefore desired that gentleman might be silenced, else it might open a gap to every member that pleased, to call in question all the Votes passed since the beginning of this parliament; which course, if it were once admitted, would render all their proceedings vain and frivolous, when a Resolution passed one day might be questioned another.' This Answer having put a stop to Mr. Stephens,

Mr. *Lisle* stood up to speak in behalf of the motion for revoking the Vote of Tuesday; and though the house cried him down, as they had done Mr. Stephens, for moving irregularly and contrary to the course of parliament, yet the Speaker suffered him to proceed thus: 'I suppose it concerns us now more than ever to look about us: we know that this Personal Treaty, now on foot, had not its rise with our consent, but contrary to the wishes and desires of all the truly Godly and Well-affected in the kingdom, who conceive no use of it was or is intended, but to the destruction of them and us. It is the king's last refuge; so that we had need to be wary how we give consent to any of his Desires, whereby he may easily entrap us. I observe how eager many gentlemen are that the Tuesday's Vote may stand, whereby the King is left at liberty to debate all particulars, and, if he pleases, to conclude nothing except it be upon his own terms. I confess the Vote is passed, and that it is contrary to the custom of parliament to impugn it; but seeing so many inconveniences and mischiefs may follow from thence, I suppose the safety of the commonwealth is to be respected before any nice punctilio of parliamentary proceeding.'—To which it was answered, 'That if any of those gentlemen who had appeared friends to Peace, had made such an extravagant motion as this for recalling a Vote, and questioning the judgment of a full house, they would surely have been called to the bar for it.' Notwithstanding this Mr. Lisle proceeded and said, 'That by the Vote of Tuesday the king had such advantages, as greater could not be given him, which might destroy all the godly party in the kingdom; since if this Vote should stand, he had not yet put the parliament into a capacity to treat any other way but as rebels, and they would still remain no more than such, in case the Treaty did not take effect.' Mr. Pury forgot himself so far, as to affirm that the Vote was but once read in the house; and therefore moved that it might be debated anew, or recalled, and not sent up to the Lords. To this it was answered, 'That his majesty's desire had been thrice read in the house before they debated it; and that it became those gentlemen who had been great gainers by the war, and were bribed against Peace with rich offices and employments, to carry themselves with more modesty, and to acquiesce in the judgment and wisdom of the house.'

Mr. *Cornelius Holland* urged, 'That the Vote was passed after one o'clock, and so being carried at an unseasonable hour ought to be recalled.' To which it was replied, 'That if the house would recall all other Votes made after one o'clock, as done at an unseasonable hour, then consent should be given to the recalling of this, for that the committee at Derby House was voted at ten at night, and the house surprized into that Vote when they had been tired out with sitting all day and a great part of the night; and then the Speaker making an offer to rise, most of the members departed home, supposing nothing else was to be done:

* Mercurius Pragmaticus, No. 27.

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but he returning to the Chair again, the motion was set on foot, and by that trick immediately carried. Besides, that most of the Votes in behalf of the Army had been passed at unseasonable hours of the night, and in a thin house, whereas this Vote of Tuesday last, was carried when there were an hundred members more in the house than now, and when every man had liberty to speak what he would against it.' At length the motion for recalling the Vote of Tuesday was over-ruled, and an Order made for Mr. Wheeler's carrying it up to the lords; which was done immediately, and they gave their concurrence to it.

Transactions between Cromwell and the Scots.] This day several Dispatches from lieut. gen. Cromwell, relating to the transactions between that general and the Scots, were presented to the lords from the Committee at Derby house, together with extracts of two letters from that Committee to him. These their lordships sent down to the commons, with the following Votes: 1. "That they do approve of the actions of lieut. gen. Cromwell in pursuance of the orders he received from the Committee sitting at Derby House; which they likewise approve of. 2. That in case those noblemen and others, that dissented against the invasion of the kingdom of England, by the army under the command of duke Hamilton, shall desire the assistance of lieut. gen. Cromwell, that he be ready to afford them all seasonable relief and assistance."—To both these Votes the commons gave their immediate concurrence, and made the following Orders in consequence thereof. 1. "That the Committee at Derby House do send these Votes to lieut. gen. Cromwell. 2. That a Letter of Thanks be returned to lieut. gen. Cromwell; and that it be referred to the Committee at Derby House, to prepare this letter, to be signed by Mr. Speaker. 3. That the extracts of the letters of the Committee at Derby House to lieut. general Cromwell; and the whole dispatch from him, now reported, with the Votes thereupon, be forthwith printed and published."*

Papers which passed between the Prince of Wales and the Earl of Warwick, concerning the Mutiny in the Fleet.] Sept. 30. The earl of Denbigh reported divers Papers from the Committee at Derby House, which were read as follows. And first,

The LORD-ADMIRAL'S SUMMONS to the revolted Ships.

"Whereas I do observe a Fleet of Ships, part of the Navy Royal of the kingdom of England, to be now riding at anchor off Helvoetsluys, and to bear a standard, having been by their respective mariners carried away, contrary to their duty and the trust reposed in them by the two houses of parliament of that kingdom, who had set them forth for the immediate service thereof; as also other Ships belonging to particular owners, that have been surprised by the said ships, or otherwise adhered to them: I do therefore, by virtue of the said parliament's authority, whereby I am constituted lord high admiral of England, &c. require the admiral, or chief commander of the said fleet, to take down the said standard; as also him, and the captains and mariners belonging to the said ships, to render themselves, and the ships upon which they are respectively borne, to me as lord high admiral of England, for the use of the king and parliament, in order to the settling the Peace of his majesty's dominions: and I do hereby, by virtue of the power derived to me by the said houses of parliament, offer indemnity to such captains, officers, and mariners, belonging to the said ships as shall actually bring in any of the said ships to myself, or such as I shall appoint to receive the same, to the use aforesaid, whereof I expect a speedy Answer. WARWICK. Sept. 19."

The Prince of WALES'S ANSWER to the Lord-Admiral's Summons.

"We have seen a Paper, dated the 19th of Sept. signed by the earl of Warwick, and sent aboard our Fleet now riding at anchor off Helvoetsluys, and under our own immediate command; by which, with strange insolency, and in a manner very disagreeable to a person of honour, whose own condition so absolutely depends upon the preservation of the royal power, he requires our officers to take down the Standard, and to render themselves, and the Ships under their command, to him; who says he is constituted by authority of parliament, lord high admiral of England for the use of the king and parliament; to all which extravagant expressions and demands he will receive the most proper Answer from the disdain and courage of those faithful officers and mariners whom he would corrupt, who have with such eminent affection and loyalty, which we shall always remember, brought our royal father's Fleet to be employed under our command for his service; and who, we are confident, by God's blessing, will preserve and defend the same against any such demand or attempts whatsoever, they very well knowing that it is in the king's sole power to make a lord high admiral of England; and that though this our Fleet be now required to be delivered up to the use of the king and parliament, the king in truth is still in prison, with such circumstances of restraint, as, to say no more, are unusual in the case of the most private man; and whose delivery and freedom all his subjects are obliged to endeavour by the laws of God and man, with the utmost hazard; and that, in that most pious work, or whatever shall contribute thereunto, we have full assurance all the officers and mariners of our Fleet will vigorously perform their part, and in so doing publish to the world how much they abhor those that would seduce them. And for the encouragement of all such who have any impressions left in their consciences,

* These were printed accordingly by Edward Husbands, Oct. 2, 1648, and are entered in the Lords Journals.

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of honesty, or of duty to God and the King; and who, we believe, by fears and threats, are led into this desperate and wicked combination; we do, by the authority granted to us by our royal father, and in his name, who hath the sole power to grant Pardons, and without whose consent no Act of Indemnity can secure any guilty person, offer a gracious Pardon to all those Officers and Mariners who are now aboard any of the ships under the command of the Earl of Warwick, if they shall quit that service, and betake themselves to our protection; where they shall be received into pay, and into a better condition of subsistance than they can be in the employment they now have; and if they shall bring with them any of the ships wherein they now are, or other ships, they shall continue in the same command they now have, and receive such further encouragement and reward, as, besides the satisfaction of their consciences, shall be very advantageous to them; and if that unhappy earl himself, who hath contributed so much to the destruction of that government which himself nor his posterity can ever hope to survive (upon observation of the temper and disposition of those whose commands he now executeth, and from whom we believe, in his first engagement, he did not expect or apprehend such commands) shall now, out of conscience or prudence, desire to join with us in the rescue of our royal father from his unworthy imprisonment, and in the restoring the almost ruined kingdom to peace and happiness, and the English nation to their old glory and renown, we shall, with all princely sincerity and affection, take him into our arms, and concur with him in those good and great ends which can only make the nation happy. CHARLES *P.* Sept. 22."

After reading these Papers, the earl of Denbigh farther reported, That the revolted Ships Companies had received 6000*l.* and were providing themselves with all necessaries for putting to sea, and that the lord-admiral could not prosecute the service of parliament without a present supply of victuals for his Fleet. Hereupon the lords ordered all these papers to be communicated to the commons.

Further Proceedings of the Commissioners treating with the King in the Isle of Wight.] Oct. 2. A Letter was received from the Parliament's Commissioners treating with the King in the isle of Wight: which, with the Papers inclosed, were read, in hæc verba:

"Newport, Sept. 29, 1648.

"My lord; By our last, of the 25th inst. we gave your lordships an Account of our Proceedings the last week. Since that time we, upon the same 25th, put in our Paper upon the Propositions concerning the Church, herewith sent you, which the king received; and upon Thursday, being the 28th, the king delivered us a Paper, which afterwards we returned back with the Paper here inclosed; conceiving, upon consultation had with our Commission and Instructions, we had no power to receive it: but the king, after hearing of our Paper, refused to receive it or his own back again, and left them upon the table where we sat to treat; and so we all then departed. On Friday, the 29th, we met his majesty again, who then offered us two other Papers; which being read, we discerned them to relate to the former Paper, which was left upon the table, as is before expressed; therefore conceiving, by our Commission and Instructions, we had no power to receive them, we did refuse to accept them; and afterwards we withdrew and presented his majesty with the Paper inclosed, to desire his Answer to our Propositions delivered in concerning the Church; unto which we, as yet, have received no Answer. Of this we thought it our duty to give your lordships an account, and shall further acquaint your lordships with our proceedings, as there shall be occasion, and remain, Your, &c. Northumberland, Pembroke, and Montgomery, Salisbury, Middlesex, Say and Sele."

The Commissioners Ninth Paper, concerning the Propositions for the Church.

"We humbly desire your majesty to give your royal assent to the Propositions, Bills, and Ordinances ensuing, concerning the Church. First, 'That a Bill be passed for the utter 'abolishing and taking away of all archbishops, 'bishops, their chancellors and commissaries, 'deans and sub-deans, deans and chapters, 'archdeacons, canons and prebendaries, and 'all chaunters, chancellors, treasurers, sub-'treasurers, succentors and sacrists, and all vi-'cars choral and choristers, old vicars and new 'vicars of any cathedral or collegiate church, 'and all other their under-officers, out of the 'church of England and dominion of Wales, 'and out of the church of Ireland. And that 'the several Ordinances herewith delivered, 'the one intitled, An Ordinance of parliament 'for abolishing of Archbishops and Bishops 'within the kingdom of England and domi-'nion of Wales, and for settling their lands 'and possessions upon trustees for the use of 'the Common-wealth.' The other intitled, 'An Ordinance of the lords and commons 'assembled in parliament, for appointing the 'Sale of Bishops Lands for the use of the 'Common-wealth,' be confirmed by act of 'parliament,—That the Ordinances herewith 'delivered, concerning the calling and sitting 'of the Assembly of Divines be confirmed by 'act of parliament.—That Reformation of 'Religion' according to the Covenant, be 'settled by act of parliament within the king-'doms of England and Ireland, and dominion 'of Wales, in such manner as both houses of 'parliament have agreed to, or shall agree 'upon, after consultation had with the Assem-'bly of Divines. And particularly, That your 'majesty will confirm, by act of parliament, 'the Directory herewith presented for the 'public worship of God in the kingdoms of 'England and Ireland, and dominion of 'Wales; together with the several Ordinances 'herewith also delivered, of the 3d of Jan. 1644,

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'and of the 23d of Aug. 1645, concerning the 'taking away of the Book of Common Prayer, 'and establishing and putting in execution of 'the said Directory.—That your majesty will 'likewise confirm, by act of parliament, the 'Form of Church-Government herewith pre- 'sented to be used in the Churches of England 'and Ireland, and also the Articles of Chris- 'tian Religion herewith delivered; and the 'Ordinance herewith presented, for the better 'Observation of the Lord's Day.—That your 'majesty will be pleased to swear and sign 'the Solemn League and Covenant herewith 'presented; and that acts of parliament be 'passed for enjoining the taking thereof by all 'the subjects of the kingdoms of England and 'Ireland; and that the Ordinances herewith 'delivered, concerning the manner of taking 'the same in both the said kingdoms, be con- 'firmed by acts of parliament, with such pe- 'nalties as shall be agreed upon by both houses. '—That your majesty will give your royal as- 'sent to the Bill for suppressing Innovations in 'Churches and Chapels in and about the Wor- 'ship of God, and for the better Advancement 'of the preaching of God's Holy Word in all 'parts of this kingdom; and to the Bill against 'enjoying Pluralities of Benefice, by spiritual 'persons and non-residence, which have been 'formerly delivered to your majesty; and to an 'act to be framed and agreed upon in both 'houses of parliament, for the regulating and 'reforming both universities, and of the col- 'leges of Westminster, Winchester, and Eaton. '—And that for the more effectual disabling 'Jesuits, Priests, Papists and Popish Recu- 'sants, from disturbing the State and eluding 'the laws; and, for the discovering and speedy 'conviction of Popish Recusants, an Oath be 'established by act of parliament to be admi- 'nistered to them; wherein they shall abjure 'and renounce the Pope's Supremacy, the 'doctrine of transubstantiation, purgatory, 'worshipping of the consecrated host, cruci- 'fixes, images, and all other popish superstiti- 'ons and errors: and refusing the said Oath, 'being tendered in such manner as shall be 'appointed by the said act, to be a sufficient 'conviction of Popish Recusants.—That your 'majesty will consent to an act or acts of par- 'liament, for the Education of Children of 'Papists, by Protestants, in the Protestant 'religion; and to an act or acts for the true 'levy of the penalties against them, which pe- 'nalties to be levied and disposed in such 'manner as both houses shall agree on, wherein 'to be provided that your majesty shall have 'no loss. And to an act or acts, whereby 'the practices of papists against the state may 'be prevented, and the laws against them duly 'executed; and a stricter course taken to pre- 'vent the saying or hearing of Mass in the 'court, or any other part of this kingdom or 'of the kingdom of Ireland. Sept. 25."

The King's own Propositions for Peace.] The King's Propositions delivered to the Commissioners were as follows:

The King's PROPOSITIONS delivered to the Commissioners on the 28th Sept 1648, which they refused to receive, as inconsistent with their Instructions. *

"Newport, Sept. 28, 1648.

"C. *R.* His majesty did use many endeavours for a Personal Treaty, which he hoped might have been obtained at Westminster between him and his two houses of parliament immediately; yet they having made choice of this way, by you their Commissioners, his majesty did gladly and chearfully accept thereof in this place, as a fit means to begin a Treaty for Peace, which might put an end to his own sad condition, and the miseries of his kingdoms; for an entrance whereunto, his majesty hath already expressed his consent to the First Proposition. But finding that you are limited by Instructions, which you have no warrant to communicate to him; and having cause, by your Paper of the 20th, to believe that you have no power to omit or alter any thing, though he shall give you such Reasons as may satisfy you so to do, without transmitting the Papers to the two houses at far distance, his majesty's reasons, where expressions, and offers upon debate cannot be fully represented, and from whence your Answers cannot be returned without much waste of the time allotted for the treaty here: and having lately received another Paper concerning the Church, containing in itself several particulars of great importance, and referring to divers Ordinances, Articles of Religion, and other things, 11 or 12 in number, of great length, and some of them very new, and never before presented to his majesty; the due consideration of many whereof will take up much time, and require his majesty's presence with his two houses before a full resolution can well be had in matters of so high a consequence: to the end, therefore, that the good work now in hand may, by God's blessing, proceed more speedily and effecually to a happy conclusion, and that his two houses of parliament may at present have farther security, and an earnest of future satisfaction, his majesty, upon consideration had of yours, makes these Propositions following:—Concerning the Church; his majesty will consent, that the calling and sitting of the Assembly of Divines at Westminster, be confirmed for 3 years by act of parliament. And will, by act of parliament, confirm for 3 years, the Directory for the public Worship of God in the kingdoms of England and Ireland, and dominion of Wales. And will likewise confirm for 3 years, by act of parliament, the Form of Church-government, which you have presented to him to be used for the Churches of England and Ireland, and dominion of Wales: provided that his majesty and those of his judgment, or any others who cannot in conscience submit thereunto, be not in the

* These are not entered in the Lords Journals; but we give them from sir Edward Walker's Historical Collections.

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mean time obliged to comply with the said government or Form of Worship, but have free practice of their own profession: and that a free consultation and debate be had with the Assembly of Divines at Westminster, (20 of his majesty's nomination being added to them) whereby it may be determined by his majesty and his two houses of parliament, how the said Church Government and Form of public Worship, after the said time, may be settled, or sooner, if differences may be agreed: and how also Reformation and Religion may be settled within the kingdoms of England and Ireland, and the dominion of Wales; and the Articles of Christian Religion now delivered to him, may in like manner be then considered of and determined, and care taken for the ease of tender consciences.—And concerning the Bishops Lands and Revenues, his majesty considering that, during these troublesome times, divers of his subjects have made Contracts and Purchases, and divers others have disbursed great sums of money upon security and engagement of those Lands; his majesty, for your satisfaction, will consent to an act or acts of parliament, whereby legal estates for lives, or for years, at their choice, not exceeding 99 years, shall be made of those Lands, towards the satisfaction of the said purchasers, contractors, and others to whom they are engaged, at the old rents, or some other moderate rents, whereby they may receive satisfaction.—And in case such Leases shall not suffice, his majesty will propound and consent to some other way for their farther satisfaction.—Provided that the property and inheritance of those Lands may still remain and continue to the Church and Churchmen respectively, according to the pious intentions of the donors and founders thereof, and the rents that shall be reserved to be for their maintenance.—His majesty will give his royal assent to an Act for the better Observation of the Lord's Day, for suppressing of Innovations, in churches and chapels, in and about the Worship of God, and for the better advancement of the preaching of God's Holy Word in all parts of this kingdom; and to an act against enjoying Pluralities of Benefices by spiritual persons, and non-residences; and to an Act for regulating and reforming both the Universities, and Colleges of Westminster, Winchester, and Eaton.—His majesty will consent to an Act for the better discovery and speedy conviction of Popish Recusants, as is desired in the Propositions: And also to an act for the Education of the Children of Papists by Protestants in the Protestant religion: As also to an act for the true levying of the Penalties against Papists, to be levied and disposed in such manner as both houses shall agree on, and as is proposed on his majesty's behalf: As also to an act to prevent the practices of Papists against the state, and for putting the laws in execution, and for a stricter course to prevent hearing or saying of Mass.—But as to the Covenant, his majesty is not yet therein satisfied, that he can either sign or swear it, or consent to impose it on the consciences of others, nor does conceive it proper or useful at this time to be insisted on.—Touching the Militia; his majesty conceives that your Proposition demands a far larger power over the persons and estates of his subjects, than hath ever hitherto been warranted by the laws and statutes of this realm; yet considering the present distractions require more, and trusting in his two houses of parliament, that they will make no farther use of the powers therein mentioned, after the present distempers settled, than shall be agreeable to the legal exercise thereof in times past, or just necessity shall require: his majesty will consent to an act of parliament, that the lords and commons in the parliament of England now assembled, or hereafter to be assembled, or such as they shall appoint during the space of 10 years, shall arm, train, and discipline, or cause to be armed, trained, and disciplined all the forces of the kingdoms of England and Ireland, and dominion of Wales, the Isles of Guernsey and Jersey, and the town of Berwick upon Tweed, already raised both for Sea and Land service; and shall from time to time, during the said space of 10 years, raise, levy, arm, train, discipline, or cause to be raised, levied, armed, trained, and disciplined any other forces for Land and Sea Service in the kingdoms, dominion, and places aforesaid, as, in their judgment, they shall, from time to time, during the said space of 10 years, think fit and appoint; and that neither the king, his heirs or successors, nor any other, but such as shall act by the authority, or approbation of the said lords and commons, shall, during the said space of 10 years, exercise any of the powers aforesaid.—That Monies be raised and levied for the maintenance and use of the said Forces for Land service, and of the Navy and Forces for Sea service, in such sort, and by such ways and means, as the said lords and commons shall from time to time, during the space of 10 years, think fit and appoint, and not otherwise.—And the said lords and commons, or such as they shall appoint, during the said space of 10 years, shall have power, 1. To suppress all Forces raised, or to be raised, without authority and consent of the said lords and commons, to the disturbance of the public peace of the kingdoms of England and Ireland, Dominion of Wales, the Isles of Guernsey and Jersey, and the town of Berwick upon Tweed, or any of them. 2. To suppress any foreign Forces who shall invade, or endeavour to invade, the kingdoms of England and Ireland, dominion of Wales, the Isles of Guernsey and Jersey, and the town of Berwick upon Tweed, or any of them.—And that after the expiration of the said 10 years, neither the king, his heirs or successors, or any person or persons, by colour or pretence of any commission, power, deputation, or authority to be derived from the king, his heirs or successors, or any of them, shall, without the

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consent of the said lords and commons, raise, arm, train, discipline, employ, order, manage, disband, or dispose, any of the Forces by Sea or Land of the kingdoms of England and Ireland, the dominion of Wales, Isles of Guernsey and Jersey, and the town of Berwick upon Tweed; nor exercise any of the said powers or authorities herein before-mentioned and expressed to be, during the said space of 10 years, in the said lords and commons; nor do any act or thing concerning the execution of the said powers and authorities, or any of them, without the consent of the said lords and commons first had and obtained. And with a Proviso for saving the ordinary legal power of Officers of Justice, not being military officers, as is set down in your Propositions. And with a Declaration, That if any persons shall be gathered and assembled together in a warlike manner, or otherwise, to the number of 30 persons, and shall not forthwith disperse themselves, being required thereto by the said lords and commons, or command from them, or any by them especially authorized to that purpose; then such person or persons, not so dispersing themselves, shall be guilty, and incur the pains of High Treason; being first declared guilty of such offence by the said lords and commons, any commission under the great seal, or other warrant to the contrary notwithstanding; and he or they, that shall so offend herein, to be incapable of any pardon from his majesty, his heirs or successors.—And likewise that it be provided, That the city of London shall have and enjoy all their rights, liberties, &c. in raising and employing the Forces of that city in such sort as is mentioned in the said Propositions.—With these Propositions following to be inserted in the said act: 1. That none be compelled to serve in the war against their wills, but in case of coming in of strange enemies. 2. And that the powers above-mentioned, as concerning the Land Forces, (other than for keeping up and maintenance of Forts and Garrisons, and for the keeping-up, maintaining, and pay of this present Army, so long as it shall be thought fit by both houses of parliament) be exercised to no other purposes than for suppressing of Forces raised, or to be raised, without authority and consent of the said lords and commons as aforesaid, or for suppressing of any foreign forces which shall invade, or endeavour to invade, the kingdoms, dominion, and places aforesaid. 3. And that the Monies be raised by general equal taxations; saving that Tonnage and Poundage, and such imposts as have been applied to the Navy, may be raised as hath been usual. 4. And that all Patents, Commissions, and other acts concerning the premises, be made and acted in his majesty's name, by warrant signified by the lords and commons, or such others as they shall authorize for that purpose. If it shall be more satisfactory to his two houses to have the Militia, and powers thereupon depending, during the whole time of his majesty's reign, rather than for the space of 10 years, his majesty therein gives them the election.—Touching Ireland; his majesty having in the two preceding Propositions given his consent concerning the Church, and the Militia there, in all things as in England; as to all other matters relating to that kingdom, after advice with his two houses, he will leave it to their determination, and give his consent accordingly as is herein after expressed.—Touching public Debts; his majesty will give his consent to such an act for raising Monies, by general and equal taxations, for the payment and satisfying of the Arrears of the Army, and public Debts and Engagements of the kingdom, as shall be agreed on by both houses of parliament, and shall be audited and ascertained by them, or such persons as they shall appoint, within the space of 12 months after the passing of an act for the same.—His maj. will consent to an act that, during the said space of 10 Years, the lord-chancellor or lord-keeper, commissioners of the great seal or treasury, lord-warden of the cinque ports, chancellor of the Exchequer and duchy, secretaries of state, master of the rolls, judges of both benches, and barons of the exchequer of the kingdom of England, be nominated by both houses of the parliament of England, to continue, quamdiu se bene gesserint; and in the intervals of parliament, by such others as they shall authorize for that purpose.—His majesty will consent that the Militia of the city of London and liberties thereof, during the space of 10 years, may be in the ordering and government of the lord mayor, aldermen, and commons in the common council assembled, or such as they shall from time to time appoint, (whereof the lord mayor and sheriffs for the time being to be three) to be employed and directed from time to time during the said space of 10 years, in such manner as shall be agreed on and appointed by both houses of parliament; and that no citizen of London, nor any forces of the said city, shall be drawn forth or compelled to go out of the said city or liberties thereof, for military service, without their own free consent.—That an act be passed for the granting and confirming the Charters, Customs, Liberties, and Franchises of the city of London, notwithstanding any nonuser, misuser, or abuser; and that, during the said 10 years, the tower of London may be in the government of the city of London; and the chief officer and governor thereof, from time to time, during the said space, be nominated and removable by the common-council, as are desired in your Propositions.—His majesty having thus far expressed his consent for the present satisfaction and security of his two houses of parliament, and those that have adhered unto them, touching your four first Propositions, and other the particulars before specified: as to all the rest of your Propositions delivered to him at Hampton-court, (not referring to those heads) and to that of the Court of Wards since delivered, as also to the remaining Propositions concerning Ireland, his majesty desires only, when he shall come

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to Westminster, personally to advise with his two houses, and to deliver his opinion and the reasons of it; which being done, he will leave the whole matter of those remaining Propositions to the determination of his two houses, which shall prevail with him for his consent accordingly. And his majesty doth, for his own particular, only propose, That he may have liberty to repair forthwith to Westminster, and be restored to a condition of absolute freedom and safety, (a thing which he shall never deny to any of his subjects) and to the possession of his lands and revenues; and that an Act of Oblivion and Indemnity may pass, to extend to all persons for all matters relating to the late unhappy differences; which being agreed by his two houses of parliament, his majesty will be ready to make these his concessions binding, by giving them the force of laws by his royal assent."

Letter from the King to the Parliament, inclosing his own Propositions, which their Commissioners had refused to accept.] The same day, the following Letter from the King was presented to the house of lords by captain Titus, who by his majesty's command, was ordered to stay for an Answer. Inclosed in this Letter were the King's own Propositions, a Copy whereof we have just given. The Letter was addressed thus:

To the SPEAKER of the House of PEERS pro tempore, to be communicated to the LORDS and COMMONS in the Parliament of England at Westminster. Newport, Sept. 29, 1648.

"C. *R.* Whereas both our houses of parliament, by their Votes of the 3d of August last, resolved to treat personally with us upon the Propositions presented at Hampton-court, and upon such Propositions as we should offer; and the Commissioners, upon the opening of this Treaty, acquainted us with their commission from both houses, which authorized them accordingly: hereupon we framed this inclosed Proposition, and yesterday delivered the same to your Commissioners here; wherein we have inserted divers Concessions and Agreements, thereby the better to induce our two houses to agree to this our Proposition; but finding the Commissioners of both houses here, upon several debates, alledge that they are restrained, by their Instructions, from transmitting the same to our two houses of parliament; we acquainted them that we would take notice to you of how great a prejudice it was to us, that their instructions were so limited: and therefore we have thought fit to send up to you a transcript of that Proposition, desiring the same may be communicated to our two houses: hoping that the largeness of these concessions will prevail with them to lay hold on this way, which to us seems the most speedy course of settling the distractions of these kingdoms; that so, upon these conditions, we may repair to our two houses at Westminster, where we intend to perform and make good all we have consented unto."

The lords having read this Letter and the King's Propositions, ordered them to be sent to the commons, with a desire that when that house had read them, they would return back the originals; their lordships being unwilling to delay a business of such importance, not having taken copies thereof.

Debate thereupon in the Commons.] After reading these Papers in the house of commons, a warm debate ensued, the Account of which is thus given by a Journalist of these times *:

Mr. *Lisle* began with urging, 'That if the Treaty were now broken off, it would be the king's own fault, since he had quitted the due course of it; and, instead of debating and passing the Propositions sent him by the parliament, had endeavoured to surprise the houses with devised Propositions of his own; which they did not expect from him, but rather that he should give his assent, or denial, to each, as they lay in order, or as they should be presented unto him by their Commissioners, to whom they had referred the due managing of this Treaty: and therefore, since they had refused to receive the King's Propositions, I suppose, said he, it becomes us likewise to lay them aside; and not only so, but to give further Instructions to our commissioners, that if the king do not proceed with them upon each Proposition, as before, they should declare against any further progress in the Treaty.'—As to the particular about Church-Government,

Mr. *Knightley* said, 'That if, after the expiration of the 3 years, they should admit of 20 Divines of his majesty's nomination, to join with the Assembly for the further settlement of the Church, it was likely that the episcopal men, instead of advising the settlement of the church, would rather unsettle it by their disputes: and so, perhaps, introduce a new quarrel about it.'—As concerning Bishops Lands,

Mr. *Harvey* alledged, 'That except episcopacy were pulled up root and branch, so that no hopes were left of ever restoring it within this kingdom, the purchasers and contractors would be left without any assurance of enjoying their purchasers; seeing that clause for the return of those Lands to the church, after so many years, may be made use of in far less time than is there mentioned, to defeat the purchasers; especially if the episcopal party should ever get ground again in the nation: whereas, if the property and inheritance of those Lands be settled by act of parliament upon them and their heirs for ever, then they might be as sure of these as of their other possessions; and it would be such an encouragement to men to lay out their money, that the state might sell them off much the sooner, and at better rates.'—This motion being seconded by alderman Pennington of London, Mr. Blackiston and others, a Member who apprehended this dispute about Bishops and their Lands to be set on foot by the Assembly

* Mercurius Pragmaticus, No. 28.

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of Divines, stood up and said, 'Mr. Speaker, I perceive these gentlemen are very exceptious in the matter of Church-Government, and conceive the king doth not offer so fully and fairly touching this particular as he ought to do. Whatsoever their conceit is of his majesty in that respect, I am sure he offers fair in one particular, for repressing the coretousness of our Assembly of Divines, and the well regulating of the Church, by offering to pass an act against pluralities of benefices by spiritual persons, and non-residency. I could wish some would cry him up as much for this, as they cry him down for other things; for it is a shame, and reflects much upon the honour of the house, that we are not more forward in removing of this inconveniency: and more shame is it for the Synod, that they being the men which condemned and cried out against the Pluralities of the Episcopal clergy, should enjoy far more than the corruptest of the bishops and their chaplains did ever allow of; divers of them at this time possessing two, three, yea, and four livings a-piece, which they come not at once in a twelvemonth, besides those which are not visible, wherein they have placed their deputies or journeymen, with whom they share in the profits: and therefore my humble motion is, Mr. Speaker, that our Commissioners be ordered to insist earnestly for his majesty's speedy assent unto an act for the taking away this ingrossing of Benefices.'—Upon this several members calling out for the gentleman to name particulars, and not thus to scandalize the Assembly in general terms, he answered, 'That if the house pleased to command him, he could instance particulars enough, and prove them too;' which put an end to the business. Then,

Sir *John Evelyn*, of Wilts, desired to speak one word to the conclusion of his majesty's Letter, wherein he desired to come to Westminster in absolute freedom, and be restored to his revenues, promising to leave other matters to the determination of the houses, and pass these concessions into acts; 'I conceive,' said he, 'if we should yield to this, it would extremely discontent our friends on all sides, and give encouragement to malignants and delinquents: the Army and well-affected abroad would think very strangely that the king should be at liberty, and no further security given for their liberties, but only his bare word; which, in case these concessions were satisfactory, as we see they are not, would be the most unreasonable and destructive course to the hopes and expectations of the Godly that can be imagined: and therefore I humbly conceive, that if the king's offers were so large as we desire, yet in no case ought we to yield that he should come hither till they are all passed into acts.'

Sir *Henry Mildmay* closed the debate with moving the house to declare against the Propositions from the King without delay.—And accordingly we find by the Commons Journals, that the house resolved, That they approved of the conduct of their Commissioners in refusing to receive the King's Propositions, and declared the unsatisfactoriness thereof. They also ordered the Thanks of the house to be returned them, and a Letter to be prepared accordingly by sir John Evelyn and Mr. Knightley, to be signed by their Speaker. This being sent up to the lords, they gave their concurrence, and it was sent away to the Commissioners, signed by the Speakers of both houses.

Oct. 7. A Letter from lieut. general Cromwell was read in the house of commons, giving an Account of his Proceedings in Scotland, and of the Surrender of Berwick and Carlisle to the English. Upon which that house passed a Vote in approbation of general Cromwell's proceedings, and ordered a gratuity of 100*l.* to the messenger that brought the news. Both these Resolutions they sent up to the lords for their concurrence, which was given as desired.

Petitions for Justice upon Delinquents, before a Treaty be concluded with the King.] Oct. 10. Three remarkable Petitions were presented to the house of commons, all of them relating to the Treaty now on foot between the king and parliament. The first of them, brought in by Mr. Holland, was intitled 'The humble Petition of the Mayor, Aldermen, Sheriffs, Common-Council men, and others well-affected, of the town of Newcastle upon Tyne,' in which the petitioners desired "That the house would be pleased, before the Treaty be ended, to execute impartial and speedy Justice upon the greatest offenders and incendiaries of the kingdom, the fomentors of, and actors in, the first and second war; till when, they could not expect any blessing upon this Treaty; and that in so doing the houses could not want the assistance of God or man."

The second Petition was presented by Alderman Hoyle of York, in the name of 'the 'Gentlemen, Ministers, Freeholders, and other 'inhabitants of the county and city of York, 'well affected to the safety of the kingdom, 'and the honour of the parliament,' in which they expressed their admiration at the dissipating the desperate attempts of the parliament's subtle and malicious enemies, and defeating the numerous forces raised this summer; which design had been long in hatching before it broke forth; and complaining, "That notwithstanding all the advantages and opportunities which God hath put into the parliament's hands, by defeating all the enemies of the kingdom, yet that none of these had been improved as they ought, by executing of Justice upon Offenders, especially upon such as had polluted the land with blood; his majesty having confessed himself and his party to be guilty thereof: The petitioners therefore humbly desired, That there might not be a forfeiture made of all the great experiencies of God's mercies in destroying those treacherous and implacable enemies; but that, according to the Declaration of parliament, their Protestation and Solemn Covenant, exemplary Justice

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might be executed upon those offenders, without partiality or delay; and that their Estates might go towards discharging the Arrears of the soldiery and other public debts, that God might be thereby glorified, and the land cleansed from blood."

The third Petition was brought in by serjeant Wylde, (lately returned from the Western circuit, where he had acted as Judge of Assize) in the name of 'the Grand Jury of the county of Somerset.' This last ran in a much higher strain than the other two; for these petitioners declared absolutely against the Treaty itself; affirming it to be "the last refuge of the king and his party, for the ruin of God's people: that it was first set on foot by them, and none but they expected to receive any benefit by it; that though all the Propositions should be signed by the king, yet they looked for little security from thence; for that when he should be restored, the adverse party would soon find means to recover their ends, and enslave all that had engaged for the liberties of the people: they therefore demanded that Justice be executed upon all Delinquents from the highest to the lowest without exception."

Debate in the Commons thereupon.] These Petitions being read, a Member stood up and spoke to this effect; 'Mr. Speaker, I suppose we ought not to trifle away our time, and dishonour ourselves, by debating these Petitions; for it is now grown to a custom for all sorts of people to intermeddle in affairs of state, and vent their own sense and humours under the notion of a Petition. It cannot but reflect upon the honour of the house to give countenance to such courses as these, and for us to suffer ourselves to be acted and set on work by persons without doors, and to have our proceedings directed and take their rise from such extravagancies as are uttered by pragmatical petitioners at every turn, whose duty it is rather to acquiesce in the judgment and wisdom of the house.'—This Speech gave great offence to the whole Independent party, and particularly to Mr. Gourdon, Mr. Vean, Mr. Harvey, Mr. Hoyle, and others, who had appeared in favour of the Petitions. These argued, 'That the blood of the people being shed, it would be required somewhere; and that if the house did not do justice, now it was in their power, upon their capital enemies, from the highest to the lowest, who had a hand in the former or latter wars, there was no question but all the blood would be required at their hands; and therefore, to remove the guilt of it from themselves, they desired a committee might be appointed to consider of a certain number of persons to be selected out of the old and new Delinquents, and propounded to the house to be excepted from mercy, and proceeded against as capital offenders.'—To this motion it was objected, 'That of the 38 persons formerly excepted out of mercy, in the Propositions then sent to the king, it had since been the settled resolution of the house, in these last Propositions, to proceed capitally only against 7; and now to pitch upon a greater number of Delinquents than those presented heretofore, would argue, that they neither regarded the public faith of parliament, nor had a mind to any settlement at all, if the Treaty were to be disturbed by adding new Propositions to those already presented to his majesty as a fit foundation whereon to build a safe and well-grounded Peace; which no man would conceive to be really intended, if the Treaty should be sprinkled with blood.' It was also observed, 'That the late Insurrections in Kent and Essex, and of the earl of Holland, and the holding out of Colchester and divers other places in the kingdom, were acted before the parliament sent their commissioners to treat with the king: and therefore, if they had intended to proceed capitally against any of the persons engaged in those designs, they should have sent the exception of them along with the Propositions; but that it was now too late to make new exceptions, which would be contradicting the Resolutions of the house laid down in the Propositions already sent.'—In answer to this,

Mr. *Weaver* alledged, 'That the house was bound by the Covenant to bring all Delinquents to punishment. To which it was replied, 'That it was true the Covenant did bind them to bring all Delinquents to punishment; but it was not meant that the punishment should extend, upon all, to blood; but that, at the discretion of the house, it might be pecuniary. Moreover, that when God did punish any nation with a war, and brought doubtful cases to the trial of the sword, he did not expect the magistrate should take an account of the blood so shed, but reserved the account of it to his own secret judgment: and therefore when Joab killed Abner, the complaint against Joab was not, that he had shed the blood of war, but that he had shed the blood of war in time of peace: whereas if the magistrate should take notice of blood shed in war, then the wives and children of all men that had been slain in this war, might have appeals of murder against those who killed them.'—Hereupon

Mr. Serjeant *Wylde* stood up and said, 'He denied that doctrine, which taught that the civil magistrate could not take notice of the blood shed in war: that such an assertion was destructive to the very being of the parliament, in regard men might rebel as often as they would, and then if they did but get into the field, they were out of danger of being called to account.'

Mr. *Dennis Bond* said, 'We have had, Mr. Speaker, many doctrines preached here by several gentlemen against the power of this house; such as, that we cannot try my lord of Norwich, but by his peers, because it is against Magna Charta; but I trust ere long to see the day when we may have power to hang the greatest lord of them all, if he deserves it, without trial by his peers; and I doubt not but we shall have honest resolute judges to do it, notwithstanding Magna Charta.'

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Colonel *White* said, 'There was a quicker way to rid their hands of all delinquents; and that was by martial law: and therefore he moved, 'That an Ordinance might be passed to try them all that way; that so the people might be no longer deluded in their expectation of justice.'—Hereupon another Member, finding so earnest a demand for justice, stood up and said, 'Mr. Speaker, I conceive gentlemen mistake the meaning of these Petitions in demanding Justice upon all Delinquents; for I suppose the people look for no other justice, but that all members, and officers intrusted, should be brought to give up their accounts for all public monies received, and sequestered Estates and the like; which kind of justice would, in my apprehension, please the people far better than the shedding of blood.'

Sir *John Evelyn*, of Wilts, finding the petitioners thus warmly opposed by some gentlemen, and ridiculed by others, moved, in order to bring them off with the better grace, 'That, to prevent giving any further offence, these Petitions might be laid aside till they saw the event of the Treaty: which if it took no effect, then the house might resume the consideration of them, or not, at their discretion.' And so this matter dropped. Nevertheless, the commons ordered their Thanks to be given to Serjeant Wylde, (who brought in the last of these Petitions) for his great and good service done to the parliament, in the late circuit he rode as one of the Justices of Assize.—In that circuit the Serjeant had directed the grand jury, at Winchester, to put an Ignoramus upon a Bill of Indictment preferred against major Rolph for intending to murder the King.

Further Proceedings of the Commissioners treating with the King in the Isle of Wight.] Oct. 11. The house of lords received a Letter from their Commissioners, with several Papers inclosed, amongst which were the following:

The KING's First ANSWER to the Proposition for the CHURCH.

"Newport, Sept. 30, 1648.

"C. *R.* In Answer to your Paper of the 25th Sept. wherein you desire his majesty's royal assent to the Propositions, Bills, and Ordinances therein mentioned concerning the Church: His majesty will consent that the calling and sitting of the Assembly of Divines at Westminster be confirmed for 3 years by act of parliament: and will, by act of parliament, confirm for 3 years the Directory for the public Worship of God in the kingdoms of England and Ireland, and dominion of Wales: and will likewise confirm for 3 years, by act of parliament, the Form of Church Government which you have presented to him, to be used in the churches of England and Ireland, and dominion of Wales. Provided that his majesty, and those of his judgment, or any others who cannot in conscience submit thereunto, be not in the mean time obliged to comply with the said government or form of worship, but have free practice of their own profession; and that a free consultation and debate be had with the Assembly of Divines at Westminster in the mean time, (twenty of his majesty's nomination being added unto them) whereby it may be determined by his majesty and his two houses of parliament, how the said Church Government, and Form of public Worship, after the said time, may be settled, or sooner, if differences may be agreed; and how also Reformation of Religion may be settled within the kingdoms of England and Ireland, and dominion of Wales; and the Articles of Christian Religion now delivered unto him, may, in like manner, be then considered of and determined, and care taken for the ease of tender consciences.—And concerning the Bishops Lands and Revenues; his majesty considering that, during these troublesome times, divers of his subjects have made Contracts and Purchases, and divers others have disbursed great sums of money upon security and engagement of those Lands; his majesty for their satisfaction will consent to an act or acts of parliament, whereby legal estates for lives, or for years, at their choice, not exceeding 99 years, shall be made of those Lands, towards the satisfaction of the said purchasers, contractors, and others to whom they are engaged, at the old rents, or some other moderate rents, whereby they may receive satisfaction.—And in case such Leases shall not suffice, his majesty will propound and consent to some other way for their farther satisfaction. Provided that the property and inheritance of those Lands may still remain and continue to the Church and Churchmen respectively, according to the pious intentions of the donors and founders thereof, and the rents that shall be reserved be for their maintenance. His majesty will give his royal assent to an act for the better Observation of the Lord's Day, for suppressing of Innovations in Churches and Chapels in and about the Worship of God, and for the better advancement of the preaching of God's Holy Word in all parts of this kingdom; and to an act against enjoying Pluralities of Benefices by spiritual persons and non-residency; and to an act for regulating and reforming both the Universities, and the Colleges of Westminster, Winchester, and Eaton. His majesty will consent to an act for the better discovery and speedy conviction of Popish Recusants, as is desired in the Propositions: and also to an act for the Education of the Children of Papists, by protestants, in the Protestant religion: and also to an act for the true levying of the Penalties against Papists, to be levied and disposed in such manner as both houses shall agree on, and as is proposed on his majesty's behalf: and also to an act to prevent the practices of Papists against the state, and for putting the Laws in execution, and for a stricter course to prevent hearing or saying of Mass. But as to the Covenant, his majesty is not yet therein satisfied, that he can either sign or swear it, or consent to impose it on the consciences of others; nor does con-

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ceive it proper or useful at this time to be insisted on."

The KING'S Second ANSWER concerning the CHURCH: "Newport, Oct. 9, 1648.

"C. R. For a farther and final Answer to you, as to your second Proposition, concerning the Church, and to your Paper of the 30th Sept. wherein you alledge there are many Omissions, Alterations, and some Denials of several particulars in his majesty's former Answer, his Majesty saith as followeth: 1. As to the Exceptions, 'That his majesty said nothing to the consenting to the bill for the utter abolishing of Archbishops, Bishops, &c. nor that the Ordinance for abolishing them be confirmed by Act of Parliament:' his majesty saith, That in his former Answer he did consent to confirm for three years, by act of parliament, the Form of Church Government, and Directory for Worship, which you presented to him; and thereby hath established the actual possession and public exercise of those Forms, and hath suspended the present government and form of Worship established by law; but desired a consultation with Divines in the mean time, for a future Settlement, as in the Paper is expressed; yet finding by your said Paper, of the 30th Sept. that not to be satisfactory, his majesty, with all clearness, will acquaint you what was his aim therein.—His majesty therefore declares, That the reason why he did not answer to that part of your Proposition in terms as it is proposed, was, because he was not satisfied in his conscience he can consent to the utter abolishing of Episcopacy, the substance whereof he conceives to consist in the power of Ordination and Jurisdiction as they were exercised by the Apostles themselves, and others by authority derived from them, superior to Presbyters and Deacons in the primitive times. But because he acknowledgeth that Bishops were to have counsel and assistance of Presbyters in Ordination and Jurisdiction, and the last were and are limitable by the civil power, his majesty desired the consultation with the Divines,* to the end that he and his two houses might determine in what manner Ordination and Jurisdiction might be moderated and regulated for the future government of the Church; his majesty's resolution being to comply with his two houses for the Alteration and regulating of this present Hierarchy and Government, so as Episcopacy, reduced to the primitive usage, may be settled and continued in this Church: and therefore his majesty heartily desires their concurrence in the one, that he may with the more freedom give his assent to the other; and, if his two houses shall so advise, his majesty will consent to lessen the extent and multiply the number of Dioceses. And in other particulars of like nature, which upon farther consideration may arise, and cannot now be particularly declared or foreseen, his majesty will evidence his only care is for the orderly Government of the Church, and the edifying of his people 2. As to the Exceptions, 'That his majesty hath not expressed his consent for settling the Bishops Lands upon trustees, for the use of the commonwealth, and for the appointing the sale of their Lands to the same use:' it is true that he hath not to alienate the inheritance of those Lands; and herein he believes he hath the concurrent opinions of many Divines, that in other points differ much among themselves; but his former Answer containing a large offer of satisfaction to all those that have purchased or disbursed money upon those Lands, he hopes that Answer, to which he now refers, will be satisfactory to his two houses. 3. As to that part of the Proposition, for the calling and sitting of the Assembly of Divines, his majesty saith, That he will, by act of parliament, confirm the calling and sitting of the said Assembly from the first of July 1643, and that they shall have such powers as are mentioned in the said Ordinance, and that they shall continue their meeting and sitting, and be dissolved in such manner as both houses of parliament shall direct. 4. His majesty will confirm the public use of the Directory in all churches and chapels, as is desired in the Proposition, and will consent to the repeal of so much of all the statutes as only concern the Book of Common Prayer; and also to the taking the same away out of all churches and chapels, provided that the use thereof may be continued in his majesty's chapel, for himself and his household; and will likewise consent that the Form of Church-Government, presented to him, be confirmed by act of parliament for 3 years; provided only, that a consultation, in the mean time, be had with the Assembly of Divines, in such manner and for the purposes as are in his former Answer expressed.—Touching the Articles of Religion; his majesty professeth he hath not had time, since they were delivered unto him, to look into them with that deliberation as is requisite, before he bind up himself and his subjects in matters of Faith and Doctrine; and therefore desires that part of your Proposition may be respited by his houses. 5. And

* "The Commissioners, who would not suffer any of the King's servants to be so much as present when any thing of the Treaty was agitated, thought fit now to let loose their own Clergy upon the King; who was much better versed in the argument than they were. They inveighed vehemently against Lords Bishops, their pride and lustre; and they all behaved themselves with that rudeness, as if they meant to be no longer subject to a King, no more than to a Bishop. And two of them very plainly and fiercely told the King, 'that if he 'did not consent to the utter abolishing of Epis-'copacy, *he would be damned:*' with which his majesty was not moved. The men, Jenkins and Spurstow, lived after the return of King Charles II. and, according to the modesty of that race of people, came to kiss his majesty's hand, and continued the same zeal in all seditious attempts." Lord Clarendon, vol. v. p. 216.

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whereas you desire to know, 'Whether his majesty by saying, in his Paper of the 30th Sept. That he will give his royal assent to an act for the better Observation of the Lord's Day, intends the confirming of the Ordinance presented unto him.' His majesty thereunto answers, That the bill for suppressing Innovations, to which you desire his consent, which he is willing to give, contains in it full provision for the due Observation of the Lord's Day: and if that be not thought sufficient, his majesty will consent to pass an act to confirm the matter of the Ordinance, for so much as concerns the Observation of that day. But as for the Ordinance itself, and the other Ordinances before-mentioned, which have been long since drawn, his majesty hopes they will not be insisted on to be confirmed *in terminis* as they are penned, because that there are divers necessary Alterations to be made in most of them, in respect of some things happened since their first framing; and expressions therein that reflect on former established laws, and other matters not necessary to the Alteration desired. But if new acts be drawn according to his consent herein expressed, he will confirm them. 6. His majesty conceived he had given a full Answer to your Desire, 'That there might be a stricter course taken to prevent the saying or hearing of Mass in the court or in any other part of this kingdom, or the kingdom of Ireland.' It is well known of what profession his royal consort is, and what provision was made by the two crowns in the Articles of Marriage, for her exercise thereof. But whatever particulars shall be proposed to him for restraining it in the places aforesaid, and limiting it to her majesty and her own family, (wherein are but very few English, and not many French, of her profession) his majesty never did, nor will deny his consent thereunto. 7. Concerning the Covenant, and the Ordinances concerning the same; his majesty's Answer being, That he was not yet satisfied to take it, or impose it on others; he conceives his two houses will not insist upon it at this time; and the rather because the ends thereof will be obtained by this Agreement, if happily concluded: which God grant."

The KING'S ANSWER to the Proposition concerning the MILITIA.

"C. *R.* In Answer to your Paper delivered in this day concerning the Militia; his majesty conceives that your Proposition touching the Militia demands a far larger power over the persons and estates of his subjects than hath ever hitherto been warranted by the laws and statutes of this realm; yet, considering the present distractions require more, and trusting in his two houses of parliament, that they will make no further use of the powers therein mentioned after the present distempers are settled, than shall be agreeable to the legal exercise thereof in times past, and for the purposes particularly mentioned in your Proposition; and to give satisfaction to his two houses, that he intends a full security; and to express his real desire to settle the Peace of the kingdom, his majesty doth consent to this Proposition, touching the Militia, as is desired. Oct. 9."

This Answer the commissioners refusing to receive, his majesty the same day sent the following:

"C. *R.* In Answer to your Proposition concerning the Militia, delivered in this day, his majesty doth thereunto consent, as is desired. Oct. 9."

The King's Answer concerning the Church, voted unsatisfactory.] The lords deferred the consideration of these Papers to the 13th: but in the commons, immediately after their being read, Mr. Edward Ashe stood up and said, "He could have informed them as much as all this amounted to out of the king's former offers; and therefore moved that they might not be troubled with a second reading." And accordingly, the King's Answer was laid aside without even the compliment of a debate, and the commons came to the following resolutions thereupon. "1. That this Answer of the king to the Proposition concerning the Church is not satisfactory. 2. That after the Commissioners shall have concluded upon the Proposition that this shall find them in, they then do press the king for a full Answer to the Proposition presented by them to him, concerning the Church: and that they do proceed in the Treaty, upon the rest of the Propositions, according to their former Instructions."—These Resolutions being sent up to the lords, they gave their concurrence to them.

Oct. 13. A Letter from the Commissioners in the Isle of Wight, with the Papers concerning the Proposition touching Ireland, were read:

The PROPOSITION concerning Ireland.

"Newport, Oct. 9, 1648.

"We humbly desire your majesty to give your royal assent to the Proposition ensuing, concerning Ireland: That an act of parliament be passed, to declare and make void the cessation of Ireland, and all treaties and conclusions of peace, or any articles thereupon with the rebels, without consent of both houses of parliament; and to settle the prosecution of the war of Ireland in both houses of parliament of England, to be managed by them; and your majesty to assist, and to do no act to discountenance or molest them therein.—That the deputy, or chief governor, or other governors of Ireland, and the presidents of the several provinces of that kingdom, be nominated by both houses of the parliament of England, or, in the intervals of parliament, by such committees of both houses of parliament, as both houses of the parliament of England shall nominate and appoint for that purpose: and that the chancellor or lord keeper, lord treasurer, commissioners of the great seal or treasury, chancellor of the exchequer, secretaries of state, master of the rolls, judges of both benches, and barons of the exchequer, vice

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treasurer, and treasurers at war of the kingdom of Ireland, be nominated and appointed by both houses of the parliament of England, to continue quamdiu se bene gesserint; and, in the intervals of parliament, by the forementioned committees, to be approved or disallowed by both houses at their next sitting. And that all Grants of offices, lands, tenements, or hereditaments, made or passed under the great seal of Ireland, unto any person or persons, bodies politic or corporate, since the cessation made in Ireland the 15th Sept. 1643, shall be null and void; and that all honours and titles conferred upon any person or persons in the said kingdom of Ireland, since the said cessation, shall also be null and void."

"*C. R.* For a final Answer to your Proposition of the 9th Oct. concerning Ireland, his majesty doth give his consent thereunto as is desired; the time for nominating of the deputy and other officers being limited for twenty years from the first of July 1643. Oct. 11."

A Charge ordered against Mr. Dowcet for falsely accusing Major Rolph.] Oct. 13. The reader may remember a Charge preferred against Major Rolph, by Mr. Osborne, in June last, for intending to murder the King in Carisbrooke Castle; in consequence whereof the house of lords committed the major to the Gatehouse, and an Indictment was soon after preferred against him at Winchester; which not being found by the grand jury there, the commons voted him a sum of 150*l.* as a recompence for false imprisonment, and committed Mr. Osborne, and Mr. Dowcet a witness, in support of the Charge against the major, to the custody of the serjeant at arms. Mr. Osborne found means to make his escape, but Mr. Dowcet having continued two months in confinement, he, this day, petitioned the lords to be admitted to bail; this they granted; and sent a Message, recommending it to the commons to do the same. Immediately after the reading this Petition, serjeant Wylde stood up and said, "Mr. Speaker, I have in my hand the draught of a Charge against this Dowcet, which, in my opinion, the house ought rather to take notice of than this Petition; for I can attest that major Rolph was sufficiently cleared upon his trial at Winchester, where I sat upon the bench; and I am sure many others in the house that were present there, can witness the same: and therefore I conceive the slanderous accusation against him having reflected exceedingly upon the honour of this house, upon the faithful colonel Hammond, and the whole Army, we can do no less than bring the scandalizers to some exemplary punishment: but Osborne being gone, and Dowcet in hold, I desire that this Charge may be preferred against him, and he brought to a speedy trial."—In consequence of this motion the commons rejected Mr. Dowcet's Petition, and ordered serjeant Wylde and Mr. Lisle to bring in a Charge against him on the 18th.

Supplies ordered for the Fleet under the Earl of Warwick.] Oct. 14. A Letter from the earl of Warwick, (dated Oct. 2, on board the St. George riding before Goree) to the Committee at Derby House, was read in the house of commons, setting forth, 'That several Dutch men of war continued to ride betwixt him and the revolted Ships, then in Helvoetsluys; and that having called a council of war to advise of the best means to reduce those ships to the parliament's obedience, the result thereof was to continue the Fleet in Goree road; that he hoped the houses would approve of his proceedings therein, and send a speedy Supply of money and provisions for the Fleet.' Upon reading this Letter Mr. Ashe said, 'It is true indeed the Holland men of war lie now betwixt the lord admiral and the Prince's Fleet, but if it had pleased him, he might have done his work before the Hollanders interposed, had the revolted ships been set upon at his first coming into that road; therefore, Mr. Speaker, you may send money and provisions; but, for my part, I believe you will never hear of any better service.'—However, this attack upon the lord admiral was carried no farther; for the house voted their approbation of his conduct; ordered money and provisions for his Fleet; and the sequestrations of delinquents in North Wales were appropriated to that purpose.

Oct. 17. This day various Letters and Papers came from the Commissioners, concerning the Treaty; amongst which were copies of the King's consent to the Proposition concerning Payment of Public Debts and Damages, and to that for making void all Honours conferred since May 21, 1642.

The Commons, at the Request of the Speaker, resolve to adjourn for 6 Days; but revoke that Resolution, by desire of the Lords.] Oct. 17. In the Commons Journals of this day, we find the first thing done was to resolve, That at the rising of the house they would adjourn to the next Monday; and that the lords be acquainted with that resolution. Those authorities do not assign any reason for so long an adjournment: but a Contemporary Writer,* whose account of the Debates of these times coincides very minutely with the Votes and Resolutions of the house as recorded in their Journals, informs us, "That this was a project of the Independent Party to delay the Treaty, in which the Speaker himself was to be the prime actor; and that in order thereto, presently after he had taken the chair, and the house being yet very thin, he stood up and said, 'Gentlemen, I have certain Infirmities growing upon me, for prevention whereof I desire to have some time for the taking of physic; and therefore make it my earnest desire that you would be pleased to adjourn the house till Monday next.' Most of the members then present being in the secret, there was a general cry for an adjournment: but they were stopt

* Mercurius Pragmaticus, No. 30.

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a little in their career by others; who, considering that Mr. Speaker had not been much troubled with melancholy since general Cromwell comforted him by a Letter about his Victory over the Scots, pleaded, 'That Mr. Speaker, God be blessed, looked very well and healthy of late; and they hoped his maladies were not more pressing than the affairs of the public; urging, withal, How great an inconvenience an adjournment must needs be, in this instant of a Treaty, whereof all transactions were to be reported continually to the house; so that their not sitting for a week might be extremely prejudicial to the speedy progress of the Treaty, and be a means to defeat the hopes and expectations of the whole kingdom, if matters were not concluded in the 40 days allotted: and therefore they begged of Mr. Speaker to dispense a little with his own occasions, rather than bring so great a hazard upon the Treaty.' Notwithstanding which it was carried for an adjournment, and ordered that a Message be sent to the lords to desire them to adjourn to the same time.—The lords were greatly surprized at this Message, but apprehending the design, instead of giving their concurrence to this adjournment, sent to desire a present conference with the commons about it. By this time that house began to fill, and the motion for a present conference was agreed to. Soon after Mr. Swynfen reported, 'That the lords look upon the Treaty with the King to be a matter of the highest concernment to the kingdom; that their sitting at this time was absolutely necessary for the assistance of their Commissioners, by returning the sense of the houses upon such matters as should be communicated to them from the Isle of Wight; that so long an adjournment must obstruct the progress of the Treaty; and therefore they desired the commons would forbear to adjourn.' Upon this a Member stood up and objected, 'That the lords did not give this Answer of themselves, but had others to put it into their mouths.' He said further, 'Mr. Speaker, this Answer of the lords is brain of our brain, for they have plowed with our heifer; some among ourselves having instructed them what to say, and how to behave themselves touching this adjournment.' He was seconded by sir Tho. Wroth, who said, 'Mr. Speaker, I conceive we have power of adjourning our own house, without asking leave of the lords; and therefore I think we should do well to take this occasion to vindicate our own authority, as not depending upon the lords, and stand to this morning's Vote for an adjournment till Monday.'—To this a Member answered, 'I must confess, Mr. Speaker, the house hath voted this day to adjourn, and that it is contrary to the course of parliament for any member to move for the recalling of a Vote; yet I am not without a precedent for it, and that a very late one too; for, Mr. Speaker, you may remember that when the house had resolved, according to the King's desire by Letter, that nothing concluded in part should be binding, unless the whole were agreed upon by Treaty; yet, within two days after this Vote was passed, you gave leave to Mr. Nath. Stephens, Mr. Lisle, and others, (though they were cried down) to impugn it; and therefore I desire to take the same liberty to move, That this Resolution for adjourning may be recalled, it reflecting very much, in my conceit, upon the honour of the house, both in the manner of obtaining this Vote, it being passed in a thin house, before we were well come together; and also in the nature of it, which must needs disturb the Treaty, and bring a scandal upon us in the opinion of the people, as if we desired no good success of it, when we thus endeavour to hinder its progress.'—To this it was replied, 'That they had no intent, in adjourning, to hinder the progress of the Treaty, but only to satisfy the desire of Mr. Speaker, who had occasion to take physic; and God forbid but the house should yield to his request upon so necessary an occasion.'—The Speaker, now finding the whole blame of this adjournment like to fall upon himself, determined to make a handsome retreat; and thereupon stood up and said, 'That, perceiving there were many jealousies raised about his desire of adjourning the house only for his health's sake, rather than give offence he was content to run the hazard of his life, and spend it in the service of the public.'——Hereupon, it was agreed, That the Resolution of adjournment passed in the morning, be revoked.

Account of General Cromwell's Reception at Edinburgh.] About the beginning of this month the house of commons received a Letter from lieut. general Cromwell, dated Berwick, Oct. 2, signifying, inter alia, That having some things to desire of the Committee of Estates of Scotland, he intended to set out that day for Edinburgh. This he did accordingly in great pomp, attended by the lord Elchoe, Lodowick Lesley, the late governor of Berwick, and 3 regiments of horse of his own army. About 3 miles before he reached that city he was met by the earl of Leven, the lord Kirkcudbright, and major-general Holborne, who conducted him to the earl of Murray's house in the Canongate, which was provided for his reception, where he had a guard of soldiers placed at the gate night and day. He arrived there on the 4th, upon notice whereof the lord-chancellor Loudon, the marquis of Argyle, the earl of Leven, the earl of Cassils, lord Burley, lord Warriston, and many other persons of quality, came to compliment him.

A Paper presented by him to the Committee of Estates.] The next day a deputation being sent to him from the Committee of Estates, to know what he had to communicate, he delivered to them the following Paper:

"Right Honourable; I shall be ever ready to bear witness of your lordships forwardness to do right to the kingdom of England, in res-

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toring the Garrisons of Berwick and Carlisle; and having received so good a pledge of your resolutions to maintain amity and good understanding between the kingdoms of England, and Scotland, it makes me not to doubt but that your lordships will further grant what in justice and reason may be demanded.—I can assure your lordships that the kingdom of England did foresee that wicked design of the Malignants in Scotland, to break all Engagements of faith and honesty between the nations, and to take from the kingdom of England the towns of Berwick and Carlisle; and although they could have prevented the loss of those considerable towns, without breach of the Treaty, by laying forces close unto them; yet such was the tenderness of the parliament of England not to give the least suspicion of a breach with the kingdom of Scotland, that they did forbear to do any thing therein. It is not unknown to your lordships when the Malignants had gotten the power and possessed themselves of these towns, how they protected and employed our English Malignants, though demanded by our parliament; and with what violence and unheard-of cruelties they raised an Army, began a war, and invaded the kingdom of England; and endeavoured, to the utmost of their power, to engage both kingdoms in a perpetual quarrel; and what blood they have spilt in our kingdom, and what great loss and prejudice was brought upon our nation, even to the endangering the total ruin thereof: and although God did, by a most mighty and strong hand, and that in a wonderful manner, destroy their designs, yet it is clearly apparent that the same ill-affected spirit still remains; and that there are divers persons of great quality and power, who were either the contrivers, actors, or abettors of the late unjust war made upon the kingdom of England; who now, in Scotland, undoubtedly do wait for all advantages and opportunities to raise dissention and division between the nations.—Now, forasmuch as I am commanded to prosecute the remaining part of the Army that invaded the kingdom of England, wheresoever it should go, to prevent the like miseries; and considering that divers of that army are retired into Scotland, and that some of the heads of those Malignants are raising new forces in Scotland to carry on the same design, and that they will certainly be ready to do the like upon all occasions of advantage: and forasmuch as the kingdom of England hath lately received so great damage by the falling of the kingdom of Scotland, in not suppressing malignants and incendiaries as they ought to have done; and by suffering such persons to be put into places of trust in the kingdom, who, by their interest in the parliament and countries, brought the kingdom of Scotland, so far as they could, by an unjust engagement, to invade and make war upon their brethren of England: my lords, I hold myself obliged, in prosecution of my duty and Instructions, to demand that your lordships will give assurance, in the name of the kingdom of Scotland, that you will not admit or suffer any who have been active in, or consenting to, the said Engagement against England, or have lately been in arms, at Stirling or elsewhere, in the maintenance of that Engagement, to be employed in any public place or trust whatsoever; that thereby they may be disabled from renewing or reinforcing their former Engagement. And this is the least security I can demand.—My lords, I have received an Order from both houses of the parl. of England, which I hold fit to communicate to your lordships, whereby you will understand the readiness of the kingdom of England to assist you who were dissenters from the invasion: and I doubt not but your lordships will be as ready to give such further satisfaction, as they in their wisdoms shall find cause to desire. O. CROMWELL. Oct. 5."

Their Answer.] To this Paper the same deputation brought back the following Answer:

For the Hon. Lieut. General Cromwell.

"Sir; Having considered your Letter, of the 5th instant, we return you this Answer; That as we did dissent from, and protest against, the taking of the towns of Berwick and Carlisle, and likewise against the late Engagement against England; and as we did rise in arms against the contrivers and abettors of that Engagement, and have been forward in using our best endeavours for restoring your garrisons; so, before the receipt of yours, we had passed some Acts upon the 22d of Sept. last, and the 4th of this month; and had resolved to put forth a Declaration to the kingdom, which we do likewise communicate unto you, by which you will perceive that it hath been our earnest care, and real endeavour, to do the same things which you demand in your Letter. —In the large Treaty betwixt the kingdoms, anno 1641, we did desire that honest men of known integrity and ability might be employed in the places of greatest trust and power within this kingdom; and sad experience hath taught us that no bonds nor ties between the kingdoms, even the strictest of covenants or treaties, can restrain men of corrupt minds and judgments; but that, whenever they find an opportuntty, they will be ready to pursue their own ends and designs, to the hazard of the peace, and breaking the union between the kingdoms.—In 1643, when some members of both houses, assembled at Oxford, had voted both kingdoms traitors, we did desire from the honourable houses, and it was granted, and mutually agreed upon in the Propositions of both kingdoms, presented to the king's majesty at Oxford, That the members of either house of parliament who had not only deserted the parliament, but also voted both kingdoms, traitors, should be removed from his majesty's councils, and be restrained from coming within the verge of the court; and that they should not, without the advice and consent of both kingdoms, bear any office, or have any

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employment, concerning the state or commonwealth; and we cannot deny but your demand of assurance from this kingdom is reasonable, that those who have been active in, or consenting to, the late unlawful engagement against England, be not employed in any public place or trust whatsoever; wherefore we do accept of this your desire as a real testimony of your respect to this kingdom, and of your intentions to preserve the union betwixt the kingdoms: and we do hereby engage ourselves, in the name of the kingdom of Scotland, to employ our utmost endeavours that none who have been active in, or consenting to, the said Engagement against England, or have lately been in arms, at Stirling or elsewhere, in maintenance or pursuance of that Engagement, be employed in any public place or trust whatsoever without the advice and consent of the kingdom of England; that thereby they may be disabled from renewing or reinforcing their former Engagement, or infringing the union and peace between the kingdoms. And as the kingdom of England is now careful to have this assurance from this kingdom, so we do not doubt but the honourable houses of parliament, according to their offers of assistance at this time, will be ready to assist us upon all other occasions hereafter, to make good this our undertaking.—And if it shall please God to bless these covenanted kingdoms with a settled Peace, we trust that, in any Agreement that shall be made with his majesty, the kingdom of England will be careful that this may be regarded as a necessary condition of peace; and to the end any peace, which shall be agreed upon, may be the more durable, we do also earnestly desire that those who shall be employed in public place or trust in England, may be such as love to preserve union and amity betwixt the nations.—We do hold ourselves very much obliged to the honourable houses of parliament for their kind offers of assistance, expressed in their Votes of the 28th of Sept. last; and shall communicate counsels with you concerning the same, that their affording assistance to this kingdom may be so ordered as may be most useful to us, and least prejudicial to the affairs of England: and you may rest very well assured, that we shall always be ready to give satisfaction to the honourable houses, in every thing which may conduce to the strengthening of the union, and settling the Peace of these distracted kingdoms; and to give real evidence that we are Your affectionate Friends and Servants. Signed in the name, and by the warrant of, the Committee of Estates, by LOUDON, Canc. Oct. 6."

During Cromwell's stay at Edinburgh, several commissioners from the Kirk, the lord provost, the magistrates, and principal citizens, came to visit him. By order of the committee of Estates, the charges of him and all his attendants were defrayed by the city; they were also entertained by the marquis of Argyle and the earl of Leven, at a sumptuous banquet at the castle: and, at their going away, they were saluted by the castle guns and vollies of small arms. Several lords also convoyed them out of the city, on their way back to Carlisle.

Letter from lord Fairfax, concerning the State of his Army.] This day, a Letter from the lord Fairfax, dated St. Alban's, Oct. 16, was read in the house of commons, setting forth the present State of the Army, and that many Petitions were in agitation amongst the Soldiery, to be presented to him; reciting the great hardships they had suffered this summer in defeating the parliament's enemies, and that though they were informed that the assessments for the support of the Army were generally well paid, yet they had received very little; and therefore desiring that the Army might be divided among the several counties proportionable to the share of taxes they stand respectively charged with, and that speedy care be taken for payment of their Arrears. Hereupon, the commons ordered, That all Arrears of Assessments for the Army be brought in by the 1st of Nov. next.

Petition from General Ireton's Regiment, for Justice upon the King and his Adherents.] Among the several Petitions presented at this time to the lord Fairfax, that from commissary-general Ireton's regiment, supposed to be of his own penning, was the most remarkable: they complained "That Justice hath not been executed upon the prime abettors of the late war; and therefore suspect there is a party in the parliament abetting and corresponding with, if not guilty of the same designs: that the King is guilty of all the blood shed; and for this they urged his own confession, as they called it, in his late agreeing to the Preamble of the Houses' first Proposition; and that there is yet a prevalent party of his own creatures, who, in parliament and elsewhere, act his designs, and endeavour to reinthrone him; and are, as they conceive, the authors of the present distractions: that by the aforesaid party, free Quarter is continued upon the people."—After these Complaints, they proceed with divers Desires unto his excellency, the performance whereof they require him to endeavour: 1. "That Justice may be executed speedily upon the contrivers and encouragers of the late war. 2. That Justice may be done impartially upon all criminal persons, especially upon such as have or shall endeavour to obstruct the course thereof; or have betrayed their trust or been authors of shedding that innocent blood, which calls to heaven for vengeance. 3. That the same fault may have the same punishment in the person of a king or lord, as in the person of the poorest commoner. 4. That all such may be proceeded against as Traitors, who act or speak in the king's behalf, till he shall be acquitted of the guilt of innocent blood. 5. That the Army may speedily have their Pay, or a present course be taken against those who with-hold it. 6. That their Arrears being paid, and free Quarter for ever avoided, the money may return from the soldier to the country-

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man again." And, lastly, they close up their Desires with a Declaration, "That they shall constantly endeavour to defend magistracy and property, with their lives and fortunes*."

Further Proceedings of the Commissioners treating with the King in the Isle of Wight.] Oct. 19. The Treaty still going on, further accounts of the Proceedings of it, from the Commissioners, were this day read: amongst which were the following.

The KING'S Final ANSWER to the PROPOSITION concerning Delinquents.

"C. *R.* For a final Answer to you as to your Proposition concerning Delinquents, &c. his majesty will consent, That all persons who have had any hand in the plotting, designing, or assisting the Rebellion in Ireland, shall expect no pardon, as is expressed in the first branch of this Proposition. As to all the rest of the said Proposition, his majesty cannot consent thereunto as it is proposed, otherwise than as is hereafter expressed viz. As for all other persons comprised in the said first Branch, his majesty, for satisfaction of his two houses, will give way that they may moderately compound for their estates; and desires they may be admitted to the same. And for removing distrusts and interruptions of the public Settlement, his majesty will consent as followeth: That such of them as the houses of parliament will insist on, shall not be admitted to his councils, and be restrained from coming to the court at such distance as the two houses of parliament shall think fit; and shall not have any office or employment in the state or commonwealth, without the consent of both houses, or shall absent themselves out of the kingdom for some time, if both houses shall think fit. That all other persons, comprised in this Proposition, shall submit to moderate composition; and, for the space of 3 years, shall not sit or serve as members or assistants in either house, without consent of both houses of parliament. Oct. 17."

The KING'S PROPOSITIONS delivered in to the Commissioners, together with the precedent Answer, the 17th Oct. 1648.

I "That his majesty may be settled in a condition of honour, freedom, and safety, and have the faith of his two houses for the same. II. That his majesty may be restored to the possession of his Lands and Revenues. III. That he may have Compensation for those revenues and profits which his majesty, for the satisfaction of his two houses in this Treaty, hath or shall consent to part withal. IV. That an Act of Oblivion and Indemnity may be passed, to extend to all persons for all matters, with such limitations and provisions as shall be agreed between his majesty and his two houses."

Motion for a Jewel of 800*l. value, to be presented to General Cromwell.*] The Lords put off the consideration of these Papers for two days. But the same day, upon their being read in the commons, a motion was made for taking them into immediate consideration, hereupon, sir Henry Mildmay stood up and said, 'There were other matters of far more concernment to be considered; as the necessity and merits of the Soldiery, but especially of lieut. general Cromwell, whose eminent and unparalleled services the house had not yet so far taken notice of, as to make him any return of special acknowledgment for them; and therefore he moved, That the house would order the making of a Jewel of 800*l.* price, to be sent to him, to remain as a testimony of their gratitude for his famous achievements.' To this unexpected motion it was answered, 'That though the lieut. general's merits were great, yet the Soldiers necessities were much greater; especially the poor Reformadoes, who had formerly done great services, and were many of them ready to starve; therefore it was desired, if the state was in a condition to part with money, the Reformadoes might not be forgotten, but that the house would be pleased either to debate the King's Answer and Proposition, or proceed upon the Ordinance for the relief of those reduced Officers. Hereupon it was carried for the latter, and the business of the Jewel was laid aside. But the house resolved that neither Sundays, nor public Fast Days, should be reckoned in the number of the 40 days allotted for the Treaty.

Oct. 20. A Letter was read in the commons from lieut. general Cromwell at Carlisle, date the 14th, advising that the Scots had delivered up that city and the citadel thereof, into his hands for the use of the parliament: Hereupon the house ordered a gratuity of 100*l.* to capt. Wolfe for bringing the News.

Both Houses resolve to except Sundays and Fast Days out of the Time allotted for the Treaty.] After this they took into consideration the Papers last sent from the Commissioners in the Isle of Wight; when a motion was made for a further addition to the 40 days allotted for the Treaty, in regard so much time had been spent in tedious, though necessary, debates and transactions. This was warmly opposed by the Independents; who said, 'That on Thursday last the house had yielded that the Lord's Days and Fast Days should not be reckoned into the number, whereby the Treaty was now lengthened a week longer than was expected; and if that would not suffice, they desired the Vote which granted it, might be recalled.' This was further urged by Mr. Weaver, who said, 'He saw no reason but it might be recalled, as well as the Tuesday's Vote for an adjournment; because, said he, the king need not spend much more time about our Propositions, having as good as told us twice, what we should expect from him, in Propositions of his own. Besides, the time of the Treaty being limited, the house should not, but upon weighty considerations, continue

* Mr. Whitlocke styles this a subtle Petition, and says it was the beginning of the Design against the King's person, though not discerned till afterwards. Memorials, p. 338.

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it longer.' To this it was replied, 'That the time was not so limited, but the house might continue it at pleasure; and for this there could be no consideration more weighty than that the Peace of the kingdom depended thereupon, which could not be settled in so small a time after so great a rupture. Besides, the not reckoning of Sundays and Fast Days, was no more than what was allowed of at the Treaty of Uxbridge.'—So, with much ado, the Vote of the day before, for not reckoning of Fast Days and Sundays, stood unrepealed; and col. Harvey was ordered to carry it up to the lords for their concurrence, which they gave accordingly. This Vote was afterwards sent in a Letter, signed by the two Speakers, to the Commissioners, who were ordered to communicate it to the King.

Debate on the Proposition concerning Delinquents.] Next, the commons debated his majesty's Answer to the Proposition concerning Delinquents, against which the Independents urgued, That these Delinquents had occasioned a world of bloodshed, which would be required somewhere; and so, of necessity upon the house, if they did not remove it by execution of justice; and therefore they moved, That 7 of those engaged in the first war, and 7 more in the last, meaning the Invasion under duke Hamilton, should be made examples. And then they fell to naming particular persons, as judge Jenkins, bishop Wren, the earl of Holland, lord Goring, and duke Hamilton; and would have proceeded with more, but that they were interrupted by a Member, who desired them to call to mind, 'That at first they voted 37 to be excepted from Pardon; but since that time it had been, and then was, the resolution of the house, to proceed only against 7 of the old Delinquents; and if they meant to have added 7 more of the new, they ought to have done it before they sent their Propositions, the last insurrections being on foot long before the 18th Sept. which was the time when the Propositions went to his majesty; that now it was too late to make any new Exceptions, and dishonourable for the house so to do, they having concluded themselves in the Propositions already sent.'—Then the question being put, That the Persons expressed and contained in that part of the first Branch of the Proposition concerning Delinquents, to which the king has not declared his consent, be proceeded with, and their estates disposed of, as both houses shall think fit or appoint; and that their Persons shall not be capable of Pardon by his majesty, without consent of both houses; the house declaring that they will not proceed as to the taking away the life of any of them to above the number of 7 persons, it passed in the affirmative, by 98 voices against 43.

The Lords agree to the King's last Propositions.] Oct. 21. The lords adjourned themselves into a committee, to take into consideration the Papers, presented to them on the 19th, concerning the Treaty; and the house being resumed, the King's Propositions were read particularly: after which it was resolved, "That his majesty be settled in a condition of honour, freedom, and safety, and have the faith of the two houses for the same: that he be restored to the possession of his Lands and Revenues: that his majesty have Compensation for the revenues and profits which, for the satisfaction of his two houses in this Treaty, he hath or shall consent to part withal: that an Act of Indemnity may be passed, to extend to all persons for all matters; with such Limitations and Provisions as shall be agreed between his majesty and his two houses: but, lastly, the lords declared, That these Votes were not to be binding, if the Treaty should break off before a conclusion."

Further Proceedings of the Commissioners treating with the King in the Isle of Wight.] Oct. 24. The Speaker of the house of lords acquainted them, that yesterday sir Peter Killigrew brought a Packet from the Commissioners for the Treaty with the King in the Isle of Wight, containing, among others, the following Papers:

The King's further and final ANSWER concerning the CHURCH:

Newport, Oct. 21. 1648.

"C. *R.* His majesty conceives that his former Answers to your Propositions concerning the Church, would have given more satisfaction to his two houses than is expressed in your Papers of the 16th and 17th instant, as containing in them (if considered in their full extent) Concessions of the most material things desired; and therefore, as well for a Declaration of his clear intentions by those former Answers, as for a farther and final Answer to the said Propositions and Paper of the 17th, his majesty saith as followeth: That albeit, for the Reasons expressed in his former Paper, he cannot consent to a Bill and the Ordinance for abolishing Bishops; yet, for the satisfaction of his two houses, and settling the public Peace, he will consent to a bill for the taking away of all Archbishops, Chancellors, and Commissaries, Deans and Sub-Deans, Deans and Chapters, Archdeacons, Canons, and Prebendaries; and all Chanters, Chancellors, Treasurers, Sub-Treasurers, Succentors, and Sacrists; and all Vicars-Choral, and Choristers, Old Vicars and New Vicars of any Cathedral or Collegiate Church; and all other their Under-Officers, out of the Church of England and dominion of Wales, and out of the Church of Ireland. And farther, his majesty will consent to suspend the exercise of all Episcopal Government for the space of 3 years; and hath consented and will consent to confirm the form of Church Government, now presented to him for the said 3 years and that no other shall be used during that time: In which time, his majesty continueth his desire That a Consultation may be had with the Assembly of Divines at Westminster, (20 of his own nomination being added) to the end that his majesty and his two houses may

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within those 3 years inform themselves of the Practice of the Primitive Church in point of Episcopacy; and may accordingly agree in limiting the Bishops to the counsel and assistance of Presbyters, and in the exercise of their jurisdiction, and increasing their number if it be thought fit.—And his majesty will consent that in case no Settlement shall be agreed on within the said 3 years, then after the said time, the power of Ordination shall not be exercised by the Bishops without the counsel and assistance of Presbyters; and that no other Episcopal Jurisdiction shall be exercised by Bishops but such, and in such manner, as shall be agreed on by his majesty and his two houses of parliament; and his majesty doth profess, that if in that time he be convinced that the function of Bishops is not agreeable to the Word of God, or that Christ commanded any other government, he will most chearfully embrace that, and take away Episcopacy; but until he be so convinced, he believes himself bound in conscience to uphold that function, as is above expressed.—For the Ordinances for settling the Bishops Lands upon Trustees, and for the Sale of those Lands, although his majesty upon conscientious scruples, (wherein he hath the concurrent opinion of the Divines as well as of the Reformed as other Churches) hath not consented thereunto; yet he hath offered satisfaction to all such as have purchased any of those lands or disbursed money upon that security, by legal estates for lives or years, not exceeding 99 years, reserving only the property and inheritance of those Lands to the Church and Churchmen, at the old rent, or other moderate rent, for their maintenance; and if that those leases shall not suffice, his majesty would propound and consent to some other way for their farther satisfaction: and therefore other satisfaction for those Debts and Engagements (which were the motives for the Sale of those Lands) being proposed, and his majesty having therein condescended as far as possibly he can, he desires his two houses would comply with his majesty in those particulars.—His majesty hath offered, by act of parliament, to confirm the calling and sitting of the Assembly of Divines, as largely in the matter desired as the Ordinance itself proposed for that purpose. He hath likewise offered to confirm the public use of the Directory in all churches and chapels, as desired in your Proposition; and to consent to the repeal of so much of all statutes as concern the Book of Common Prayer, and to take the same away out of all churches and chapels, except his majesty's chapel, where he intends the use thereof may be continued for himself and his household, until another public Form of Prayer should be agreed on by his majesty and his two houses.—His majesty hath likewise consented to the Bill for suppressing of Innovations, wherein there is full provision for the due Observation of the Lord's Day; and offered (if that were not sufficient) to consent to the matter of the Ordinance for the observation thereof as fully as is desired. But for the Ordinances presented to his majesty, which concern the Assembly of Divines, the Directory, the taking away the Book of Common Prayer, and the Observation of the Lord's Day, many expressions therein require necessary Alterations, in respect of some things happened since their first framing; others reflect on former established laws, and other matters not necessary; and therefore, though he consented to the matter therein desired, yet he could not confirm those individual Ordinances, *in terminis*, as they were penned—Whereas you conceive that his majesty did not give his assent to the Bill for the better Advancement of the Preaching of God's Holy Word in all parts of this kingdom; his majesty, by his former Answer, did sufficiently express his consent thereunto, by consenting to the Bill for suppressing of Innovations, (in which that for the better Advancement of Preaching is included) and his majesty doth again give his consent thereunto; as also to the Bill against enjoying Pluralities of Benefices by Spiritual Persons, and Non-Residency, formerly delivered to his majesty, as is desired in your Propositions.—Touching Reformation of Religion; whereas you say 'That his majesty's Answer comes far short of the Proposition, which desires that his majesty should consent that Reformation of Religion according to the Covenant be settled in such manner as both houses have agreed, or shall agree upon, after consultation had with the Assembly of Divines; his majesty saith, That he hath answered all the particulars which are set down as Branches of that general Proposition, and cannot think it will be expected that he should oblige himself generally to what his two houses shall hereafter agree touching matters of Religion, before he be satisfied of the nature thereof.—His majesty conceives that he hath given a full Answer to your Proposition for an Act, or Acts to be passed for a stricter course to be taken to prevent the saying or hearing of Mass in the court, or any other part of this kingdom, or the kingdom of Ireland; he having consented thereunto, with exemption only of the Queen and her family, few whereof are of her profession, according to the Articles of Marriage agreed on betwixt the two crowns, which his majesty conceives his two houses will not advise him to break; and for restraining the access of all others but her family; and in all things else his majesty consents to that Proposition as is desired.—Touching the Covenant, his majesty answers as formerly, That he remains yet unsatisfied to take it, or impose it upon others, and conceives it not proper to be insisted upon at this time; and that the ends thereof, without taking it will be obtained by this Agreement, if happily concluded.—For the Articles of Religion presented to his majesty, which are desired to be confirmed by act of parliament, his majesty hath already answered, That he hath not yet had time to peruse them with that deliberation as is requisite

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before he bind up himself and his subjects in matters of faith and doctrine; and conceives his two houses will think it not improper to respite the consideration of them to a farther time, considering how perilous definitions are in matters of Religion, how long time the Articles have been in framing, and that since the beginning of this Treaty, and not before, they came intirely to his majesty's view.—His majesty having so far consented to the several particulars of this Proposition, that the remaining differences are very few, doth therefore earnestly desire his two houses, that they may be no obstacle to the settlement of the blessed Peace now in hand."

The King's Answer concerning the Nomination of the CHIEF OFFICERS in the Kingdom of England.

"C. *R.* For a final Answer to you, as to your Paper of the 21st instant concerning the Nomination of Officers, his majesty doth consent thereunto as is desired, so as the time for nomination be limited to ten years."

The King's Answer to the PROPOSITION concerning the City of London.

"C. *R.* For a final Answer to you, as to your Proposition concerning the City of London, his majesty doth consent thereunto as is desired."

The King's Answer to the PROPOSITION concerning the GREAT SEAL.

"C. *R.* In Answer to you, as to your Proposition concerning the Great Seal, delivered in this day, his majesty doth consent thereunto as is desired."

The King's Answer to the PROPOSITION concerning WARDS and LIVERIES.

"C. *R.* For a final Answer to you, as to your Proposition concerning the Court of Wards, delivered in this day, his majesty doth consent thereunto as is desired, so as he may have in recompence for the same 100,000*l.* per annum assured unto him, his heirs and successors."

A Complaint made of the Propositions, &c. being printed.] The same day, the whole of the Propositions, with the King's Answers to them, being read in the house of commons, Mr. Weaver complained, 'That they were already put into print, and desired that enquiry might be made who it was that gave order for the printing of them'; alledging what a dishonour and prejudice to the house it must needs be, to have things dispersed abroad in print before they had been debated there; saying further, That surely the blame must be laid on sir Peter Killigrew, it being hardly possible that a Copy could be obtained so suddenly from any hand but his.' Another said, 'That this being a way to forestal the sense of the house in the opinion of the people, it ought not to be suffered; and unless it were prevented, things would be so represented as if they were not well-wishers to the Treaty.' To this it was added by a third, 'That he could not believe any man in the house was against the Treaty; and, for his part, rather than things should not be concluded thereby, and lest want of time should be objected hereafter, he would consent that 40 days longer might be added to the Treaty.' This last motion being supported by many of the Independent party, gave occasion to suspect that it did not proceed from any good will to Peace: whereupon a Member observed, That the happy issue of the Treaty did not consist so much in length of time, as in a desire to give and receive mutual satisfaction, to and from his majesty, and a reasonable compliance upon moderate, just, and equal grounds; alledging, That his majesty had condescended very much in the main things, and the house, as yet, in nothing at all to him: that his majesty had given satisfaction in the Militia, and several other matters sufficient for their security: that the only thing he stuck at, was the destruction of the Church and his friends. and the taking of the Covenant, concerning which he had given in his final Answer; and therefore it would be in vain to continue the Treaty any longer than the time limited, except it were desired by his majesty himself and their commissioners: besides, he urged, it would be much conducing to the obtaining a Peace by this Treaty, if the debate of his majesty's present final Answer concerning the Church might be managed with moderation:' and therefore he moved the house might proceed upon it presently. But this was over-ruled: and the result was, That a Letter of thanks should be sent from both houses to their Commissioners, inclosing the Resolution of the 19th, to except Sundays and public Fasts out of the number of the 40 days allotted for the Treaty: the farther debate upon the Propositions was also put off to the 26th, and all the members strictly enjoined to attend at that time.

Debate on the King's Answer relating to Episcopacy.] Oct. 26. A motion was made in the house of commons, for taking into consideration the King's Answers to the Proposition concerning the Church. In support of this motion a Member alledged, 'That it was high time to transmit the sense of the house thereupon to their Commissioners, who must needs be at a stand, by reason of so long a delay, his majesty having given in his Answer five days before, which had now been three days depending in the house.'—The Independent party finding the consideration of the King's Answer could not be decently avoided, began the attack upon Episcopacy.

Mr. *Miles Corbet* affirmed, 'That Bishops were clearly Anti-christian,' and cried out, 'Down with them even to the ground.' To this

Mr. *Blackiston* added, 'That because Bishops were Anti-christian, therefore the king stuck so close to them; that his majesty gave no satisfaction at all concerning Bishops, for he consented to the taking away of only Archbishops; but, for his own part, he thought they were both birds of a feather.'—To this it being answered, 'That the king, in order to

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give satisfaction, had consented to lay aside, after 3 years end, the whole substance of Episcopacy, and abolish the jurisdiction and function of Bishops, as appeared by his last concessions; only he had left a little root in matter of Ordination:

Mr. *Gourdon* replied, 'That both kingdoms had covenanted and engaged to pluck up Episcopacy root and branch; and that if they left ever so little a slip of the root, it would soon grow up again, and therefore he conceived the king could not give satisfaction till Bishops were taken away, both name and thing, that there might not remain the least footsteps of that government to be taken notice of by the present age, or transmitted to posterity.'

Mr. *Jesson* proposed this question, 'Whether Bishops were not mentioned in the Scripture, and far more visibly than the form now endeavoured to be set up for ought that had been yet shewn to the contrary? And whether the gentlemen that were so eager for rooting up Episcopacy, had not best root it up first out of the evidences of the Gospel, and of all antiquity?' To this no answer was given: But

Alderman *Pennington* further urging, 'That the house was bound by the Covenant to root out Bishops,' it was replied, 'That it was true they were bound by the Covenant to extirpate so much of the Hierarchy as should be found contrary to the Word of God, the rule by which they were to reform; and therefore till it was cleared how much of Episcopacy was contrary to the Word of God, it could not be safe to extirpate the whole Order: and the only way to find out the truth was that which the king had propounded and promised, that betwixt this and 3 years end, if upon a conference between the Assembly of Divines, and 20 of his own nomination, he should be convinced of the unlawfulness of Bishops and the lawfulness of any other government, he would most chearfully embrace that, and take away Episcopacy: but till then it could not, in reason and conscience, be expected that his majesty should absolutely abolish it, under pretence of giving satisfaction.'—To this the Independents replied, by arguing *à facto ad jus*; saying, 'That the conference proposed by the king, at the end of 3 years, would perhaps be the way to undo all that hitherto the parliament had done; and might call in question the judgment and former resolutions of the houses, and the Ordinances concerning Church-Government.' In answer to which it was observed, 'That it must be an ill cause which could not endure the test of a conference; that the avoiding one would reflect much upon the reputation of the Assembly of Divines; and argue, in the opinion of most men, either a bad cause, or but weak defendants: moreover, that a business of so high a nature as Church-Government could not be debated too often, and as yet one party only had been heard to speak to that point; whereas it was unjust to conclude upon any thing without knowing, at least, what the other had to offer; that it must be far more for the honour of the house to determine so weighty a matter, after a full hearing on both sides: and therefore it was moved, that his majesty's Concessions might be accepted of as to the matter of Episcopacy.'——But the question being put thereupon, it was resolved, "That the King's Answer to that part of the Proposition for the Church, which concerns a Bill and Ordinances for Abolishing of Bishops, is not satisfactory:" And a committee was appointed to draw up the particulars of this dissatisfaction against the next morning.

Debate on the King's Answers concerning the Church, the Covenant, &c. All which are voted unsatisfactory.] Oct 27. The commons resumed the debate upon the Proposition concerning the Church, and came to this Resolution thereupon, "That the King's Answer to that part of the Proposition concerning giving his consent to the Ordinances for settling the Lands of the Bishops upon trustees, for the use of the commonwealth, and for appointing the sale of those Lands, is not satisfactory; and that the commissioners do press his majesty to give his full consent to those Ordinances as desired by the Proposition." Then Mr. Swinfen reported to the house the particulars of their dissatisfaction in his majesty's Answer to that part of the Proposition for the Church, concerning the abolishing of Bishops, to be sent by way of Instruction to the commissioners in the Isle of Wight, which were read and approved of.

Next, it was resolved, "That the King's Answer to that part of the Proposition touching the public Use of the Directory, and the taking away of the Book of Common Prayer, wherein he desires to continue the use thereof for himself and his household, until another public Form of Prayer should be agreed on by his majesty and his two houses, is unsatisfactory." Then it was further resolved, "That his majesty's Answer to that part of the Proposition as concerns his confirming, by act of parliament, the Articles of Christian Religion, is not satisfactory; and that the Commissioners do press the king to give his full consent thereunto."—The next point was that clause of the King's Answer, wherein he promised to pass an Act for the preventing the saying of Mass in the court, or any other part of this kingdom, or the kingdom of Ireland; only he excepted the Queen and her family, that those few of them, which were of her profession, might have the free exercise of their religion, according to the Articles of Marriage agreed on betwixt the two crowns of England and France.—Upon which it was resolved, "That the house out of their detestation to *that abominable idol*, the Mass*, doth declare, that they cannot admit

* These words were added upon the motion of sir Henry Mildmay, Mr. Gourdon, and Alderman Pennington; but were afterwards altered by the lords thus, '*that abominable idolatry used in the Mass.*'

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of, or consent unto, any such Exemption in any law, as is desired by his majesty, for exempting the Queen and her family out of such act or acts, as are desired by the Proposition to be passed, for a stricter course to prevent the hearing or saying of Mass in the court, or any other part of this kingdom, or the kingdom of Ireland; that his majesty's Answer thereunto is not satisfactory; and that the Commissioners do press his majesty to give his full consent to that part of the Proposition, as it is there desired."

At last they came to the Covenant, which occasioned a very hot debate, in which it was insisted upon, 'The king ought not only to take it himself, but pass an act for imposing it throughout the kingdom.' Against this it was argued, 'As a most unreasonable and unjust thing to urge the Covenant upon the king, when many members of both houses, and of the Army, who had refused to take it, and had been esteemed the better for it, judged the fittest men for public employments; and many of those who had taken it were looked upon with an evil eye, and as men averse to the public interests, and that the Oath and Covenant was not made, nor intended, for the king to take; but that it was a solemn stipulation betwixt the subjects of both kingdoms only, as appeared by the preamble of it, 'We the noblemen, knights, citizens, burgesses, &c.' To this it being answered, 'That the house could alter that, when the king would consent to the taking of it;' several members argued, 'That though the house could alter the preamble of the Covenant, yet they could not the contents and substance of it; and in them were many things contained very improper for the king to swear to; as the maintenance of his own person, honour, crown, and dignity; which would be absurd, since self love and preservation is ingrafted in every man by nature: and that if his majesty was to take the Covenant, and swear to maintain his own just rights and prerogatives, according to the tenor of it, then if he conceived any of those things demanded by the houses to be his just rights, he was bound to deny them; from whence it appeared that the Covenant was never intended for the king to take; and if he did take any it must be a new one, or the old one altered; which they ought to have done before they sent the Propositions, that his majesty might have known what part of the Covenant they intended to impose upon him, before he should make a promise to take it.'—Hereupon, Mr. Gourdon stood up, and desired leave to speak to the first of those arguments, 'How that there was not the same reason for pressing the Covenant upon the members of the houses and the Army, as upon the king, and that was because the main clause of it is against the introducing of Popery, of which none was, or is, suspected but the king;' (and in this he was supported by many of the Presbyterian party, out of their zeal for the Covenant:) But to him, who was a known champion for the Independents, it was smartly replied, 'That, on the same ground, all the members of both houses, and of the Army, ought to take the Covenant, as well as the king, because there was a special clause in it for the suppressing of all heresies and schisms.'—At last the debate ended with this Resolution, "That the King's Answer touching the Covenant was not satisfactory:" And a committee was appointed to consider how, and in what manner, the Covenant could be framed, so as that it might be presented to the king, to be taken by him.*

Oct. 28. The Resolutions of the commons on the 26th and 27th, being sent up to the lords for concurrence, they agreed to them all with some little alterations, except that concerning the Sale of Bishops Lands, which they respited to further consideration.

Debate on the seven Delinquents proposed to be excepted by the Lords.] The same day, the lords sent a message to the commons, signifying, That in consequence of the vote for proceeding against only seven Persons as to the taking away life, in the first Branch of the Proposition concerning Delinquents, they had named the lord Cottington, lord Digby, sir Robert Heath, sir Francis Doddington, sir George Radcliffe, sir R. Greenville, and sir C. Dallison. Hereupon a Member said, 'The lords had acted as betrayers and deluders of the kingdom, by naming 7 of the old Delinquents who were, every man of them, out of their power;' and a debate arising whether they should name 7 more out of the new Delinquents, the lord Goring was named as one; which being objected to, serjeant Nicholas stood up and said, 'What, Mr. Speaker, shall we spare the man who raised a second war more dangerous than the first, and cudgelled us into a Treaty?' However, a motion being made, That there be an addition of names to the first Branch of the Proposition concerning Delinquents, it passed in the negative.

Letters relating to the Marquis of Ormond's landing in Ireland, to make Peace with the Rebels.] At this time the parliament was alarmed with news from Ireland, bringing an account of the marquis of Ormond's landing there, and his making Peace with the rebels in that kingdom. His lordship's original Letter was sent, addressed to one of their chiefs, and inclosed in the following from colonel Jones to the Speaker of the house of commons:

"Honourable sir; In my last of the 4th inst. I represented the present wants of this your Army, both in men and money; wherein now again I most earnestly desire we may be supplied, and that with all convenient speed, [considering Ormond is now arriving here, and the designs by him driven appearing in the inclosed; which are intended principally to the disturbance of your affairs here. His lordship meeting with the Irish Commissioners, began

* Mercurius Pragmaticus, No. 31.

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on their Treaty on Monday the 16th present; after which, (I have it on good grounds) all their powers together are to be employed against this your small party in this province.] The timely removing hence those of Ormond's instruments, in whom he most confided, will retard him much in his design; yet will it be alike, and no less for his advantage, if he has to work on a necessitated party, such as this is, on whom large offers of plentiful subsistance (which ours have not) may be much working.—There are extraordinary and large taxes laid, by the poll, in the Irish quarters, for making up, it is said, the sum of 60,000*l.* for the Prince, who is, by the Irish, expected here with his Fleet, as soon as the Treaty is made up between them and Ormond. In this I am much confirmed, that all herein designed is principally for England.—It is therefore nearly concerning you to prevent this growing evil, and that rather here, than there, by sending hither, with all speed, what is for the work; particularly that we be supplied with horse, (the life of this service) our troops here being weakened by a strange disease, whereby sixty horses have miscarried in some troops, consisting but of 72 to the troop.—This of Ormond's arrival, and the discovery made of his designs, have, for the present, diverted my intentions for advancing in person, that thereby this place (to be principally secured) may be provided for, and other things prepared necessary for a meeting with that army, or those designs of the rebels so much spoken of. In the mean time I shall visit their quarters with strong parties, sent out on all hands, for burning and destroying of their corn, and what may be else for their subsistance or accommodation; whereof I trust e're long, by God's assistance, to give you some good account; so I rest, &c. M. JONES. Dublin, Oct. 18."

Lord ORMOND'S LETTER.

To our very loving Friend, Sir Richard Blake, Knt. Chairman to the Assembly of the Confederate Roman Catholics, now at Kilkenny.

"After our very hearty commendations, being arrived in this kingdom, qualified with power to treat and conclude a Peace with the Confederate Roman Catholics, or such as shall be deputed and authorized by them in that behalf, we have thought fit, by these our Letters, to desire you to make the same known to the Assembly of the said Confederate Roman Catholicks now at Kilkenny: as also that, in pursuance of the Paper of the 13th of May last, delivered to their Commissioners at St. Germain's, we expect to receive from them, by persons fully authorized to treat and conclude, such Propositions as they shall think fit, at our house at Carrick; whither we intend to remove for the better accommodation and more speedy dispatch of this affair, as soon as we shall be advertised by you of the time when we shall expect them there, which we desire may be with all convenient expedition. We remain at Cork this 4th Oct. 1648, Your very loving friend, ORMOND."

On reading of the above-written Letters, both houses thought fit that copies of them should be sent to their Commissioners in the Isle of Wight; with Instructions to shew them to the king, and acquaint him, that the houses judge this proceeding so contrary to an act of this present parliament, and so destructive to a speedy and effectual reducement of the Rebels there, that they desire his majesty's public Declaration against any such power, and against the proceedings of the lord Ormond in this matter.

Oct. 30. At the desire of the lords a conference was held with the commons, concerning their Resolution of the 27th, relating to the Sale of Bishops Lands. The Conference being over, the lords fell into debate again upon the Resolution sent up by the commons, concerning the King's Answer touching the Ordinance for the Sale of Bishops Lands; and the question being put for agreeing thereto, it passed in the affirmative.

The Treaty continued for 14 Days longer.] Nov. 2. The following Resolutions were agreed to: 1. "That the Treaty be continued for 14 days longer; and that in this time, the houses will consider of the Propositions that came from the king, to which there is not yet an Answer; and will consider of such other Propositions as the houses shall think necessary for the settling of a safe and well-grounded Peace. 2. That the Commissioners of both houses, now in the Isle of Wight, be written unto, that they may make their speedy repair to the houses respectively, and demand the King's final Answer according to the last Instructions, and afterwards to return back with the houses Resolution thereupon. 3. That the Commissioners do communicate these Votes to the king, and desire his consent thereunto in point of time. 4. That his majesty's Answer, contained in a Paper of the 11th Oct. to the Proposition delivered in by the Commissioners, in a Paper of the 9th Oct. concerning Ireland, is satisfactory. 5. That the King's Answer to the Proposition, concerning the Payment of the public Debts, is satisfactory. 6. That the King's Answer to the Proposition, concerning the Nomination of Officers, is not satisfactory. 7. That the house do consent to the King's Answer, as to the taking away of Wards and Liveries; and, in lieu thereof, do agree that 100,000*l.* per Annum be settled on the king, his heirs, and successors, according to the Answer of the king to this Proposition; the same to be settled by act of parliament, to be raised in such manner as shall be thought fit by both houses of parliament; and provision therein made that the same, nor any part thereof, be alienated from the crown."

Further Proceedings of the Commissioners treating with the King in the Isle of Wight.] Nov. 3. The Speaker of the house of lords acquainted them that he had received a packet from the Commissioners in the Isle of Wight.

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It contained, among other Papers, the following:

The KING's PAPER touching the Expiration of the Treaty.

"C. *R.* His majesty having received your Paper of the 1st of Nov. finds thereby that the Treaty ends on Saturday next: and therefore, considering the great length and weight of your Papers now delivered, and for that his majesty hath had no Answer to his own Propositions sent to the two houses, his majesty desires to know whether you have received any Instructions concerning the same, or for any enlargement of the time of the Treaty; and the rather, because his majesty is desirous, before the giving any farther Answer concerning the business of the Church, so far pressed by his two houses, that the primate of Armagh, the bishop of Exeter, bishop of Worcester, bishop of Rochester, Dr. Ferne, and Dr. Morley, may be admitted unto him with all convenient speed; that so his majesty may receive all possible information for clearing his judgment, in a matter so nearly touching him as that of his conscience. Nov. 1."

The KING's ANSWER to the Commissioners Desires concerning Lord Ormond.

"C. *R.* In answer to your Paper delivered in this day, concerning Ireland, his majesty saith, That it is well known in what place and in what condition he hath continued for many months, before the beginning of this Treaty; and he doth declare, that since the first Votes passed for the same, he hath not transacted any affairs concerning that kingdom, but with you the Commissioners in relation to the Treaty itself. And his majesty hath already consented, if this Treaty receive a happy conclusion, that his two houses of parliament shall have the sole ordering and managing of the Militia of Ireland, and the prosecution of the war there: And whatsoever his majesty hath consented unto upon these Propositions, he did it clearly, and doth fully resolve to make the same good, if this Treaty end in a Peace; but, in the mean time, his majesty thinks it not reasonable that he should be pressed to make any such public Declaration, as by your Paper is desired. Nov. 1."

The KING's Final ANSWER concerning Ireland.

"C. *R.* For a final Answer to you, as to your Paper of the 1st of this month, concerning Ireland, his majesty saith, That his majesty having heard nothing in Answer to his own Propositions, and having answered all the Propositions of his two houses, hath very little encouragement to treat upon a new Proposition, being no part of the subject matter of this Treaty: but having given you an Answer to the said Paper concerning Ireland, and heard your debate thereupon, he finds it fit to adhere to his former Answer: for if this Treaty shall conclude happily, the desires of his two houses will be fully satisfied by his concessions already made concerning that kingdom. Nov. 1."

Nov. 4. Some more Votes and Resolutions, concerning the Treaty, were agreed to by both houses, viz. 1. "That the King's Answer to the desire of both houses, for his declaring against the proceedings of the lord Ormond in Ireland, is not satisfactory; and the Commissioners are hereby authorized and required to acquaint the king herewith, and to press him to a full consent thereto. 2. That Dr. Usher, Dr. Brownrigg, Dr. Prideaux, Dr. Warner, Dr. Ferne, and Dr. Morley, shall have the leave of both houses to go to the King, and have the Speaker's passes to that purpose. 3. That the Commissioners now in the Isle of Wight, have power to agree among themselves which of them shall come away and attend the houses; leaving three there, whereof one lord and two commoners. 4. That an Instruction be prepared, and sent to the Commissioners, to authorise them to present the Shorter Catechism to his majesty for his approbation."

Nov. 9. All the parliament's Commissioners were now come to London, except the earls of Northumberland and Middlesex, the lord Wenman, Mr. Hollis, Mr. Pierpoint, and Mr. Crew, who staid in the Isle of Wight, in consequence of the above Resolution. When these lords and gentlemen took their seats, the Speakers of both houses respectively were ordered to give them Thanks for their great pains and industry, and faithful discharge of the trust committed to them. Upon this occasion they reported, That when they took their leave of the king, on the 4th of this month, his majesty said, "That he hoped they were now sensible that none was more desirous of a good and lasting Peace than himself; that he had gone very far to give his two houses satisfaction; that he thought, though the time for the Treaty was ended, yet the treaty itself was not, for that he expected to hear from his two houses about his own Propositions; and would be ready to make his concessions binding, by giving them the force of laws. That his majesty desired, they would put a good interpretation upon his vehement expressions in some of his debates, there being nothing in his intentions but kindness; and that as they had taken abundance of freedom, and shewed great abilities in their debates, which had taken his majesty off from some of his own opinions; so he doubted not, had they had power to recede, some of his Reasons would have prevailed with them, as he is confident, had it been with his two houses, it would have done with them: and therefore besought them to take the same freedom with his two houses, to press them to a compliance with him in those things his conscience was not yet satisfied in, which more time might do, his opinion not being like the laws of the Medes and Persians, unalterable or infallible. That his majesty added his very hearty thanks for the pains they had taken to satisfy him, professing that he wanted eloquence to commend their abilities. He desired them candidly to represent all the transactions of this Treaty to his two

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houses, that they might see nothing of his own interest, how near or dear soever, but that wherein his conscience was unsatisfied, could hinder, on his part, a happy conclusion of this Treaty."

The Earl of Warwick's Vindication of himself from the Charge of his intending to join the Prince of Wales.] In the course of the foregoing debates, several insinuations had been thrown out, as if the earl of Warwick was not hearty in the interest of the parliament, in regard of his not having attempted to fight the revolted part of the Fleet commanded by the Prince of Wales: and this suspicion was now become so general, that his lordship thought it necessary to vindicate himself from the Charge, by publishing the following Declaration: dated Aboard the St. George in Helvoet-Sluys, Nov. 11, 1648.

"Having this day seen a Letter from London, dated 3rd of this instant importing, That there is a Pamphlet printed, intitled, 'A Declaration of the Earl of Warwick, shewing his 'resolution to join with the Prince, if the 'Treaty take no effect,' I thought myself bound to take notice of it, being so horrid a reflection upon my honour, and wickedly aspersing me with a supposed resolution, so repugnant to the trust which I hold under the parliament: and therefore I do hereby declare, That as both houses of parliament have been pleased to intrust me with the charge of the Fleet; so I have endeavoured to improve that authority committed to me, with a faithful and inviolable respect unto my duty.—When I first undertook this great charge, I was fully sensible how the cause of truth, the glory of God, the Settlement of my country's peace, and the preventing of the bloody and desperate designs of the enemies thereof, depended upon the management of this expedition; and how much I was obliged in conscience and honour to omit nothing that might have a tendency to those ends: that obligation I have, according to my best reason and judgment, faithfully discharged; and by the blessing of Heaven, received this fruit, notwithstanding the many obstructions and difficulties that intervened, that the honour of the parliament by sea is cleared; the Fleet committed to my charge preserved in a condition of honour and safety; the affections of the seamen settled; the design of those wicked revolters, that perfidiously betrayed so considerable a part of the kingdom's navy, broken; and such as associated with them, either rendered or reduced, other than those few that for a while have basely sheltered themselves within the sluice at Helvoet, and one that was out of that harbour when I came into it.—As to the pretended Resolution of my joining with the Prince, in case the Treaty should not take effect, falsely charged upon me by that Pamphlet; I do profess in the presence of God, who knows my heart and ways, that it never entered into my thoughts; and that my soul abhors it, as inconsistent with my duty, prejudicial to the parliament, destructive to the kingdom's peace, and unworthy of a free-born Englishman; being confident that the parliament will omit nothing on their part to make the issue of the Treaty, by God's blessing, successful and happy: and therefore, as I have hitherto been faithful to the kingdom, and to the parliament where I have the honour to sit as a peer; so I do and shall scorn to sacrifice my conscience, and those public and dear concernments of my country, wherein I have a portion, to this misled fancy of any person, of what rank, quality, or condition soever; and while I have a heart and hand, I shall not fail, by God's assistance, to have them on all occasions lifted up for the service of the parliament, and common interest of England, with my utmost integrity, and to my highest hazard; and my actions shall confute the lies and jealousies as well of that false author, as of any others, who, either from an ignorance of my proceeding, or perhaps from a sense of their own guilt, dare take the freedom in these times, wherein the tongue and press assume so luxurious a latitude, so unjustly to bespatter my honour and intentions; to vindicate the sincerity whereof I shall commit myself to him that judgeth righteously. WARWICK."

Votes of both Houses upon the King's own Propositions.] Nov. 15. Both houses passed the following Resolutions, in Answer to the King's own Propositions: 1. "That from and immediately after the king shall have consented unto the Desires of the two houses upon the Treaty, and ratified the same by act or acts of parliament, all his houses, honours, manors, and lands, with the growing rents and profits thereof, and all other legal revenues of the crown, shall be restored unto him, liable to the maintenance of antient forts, and all other public and legal charges, which they were formerly charged withal or liable unto; with an exception of such castles and forts, as are now garrisoned, and of such places for public magazines and stores as are now made use of, for so long time as both houses shall think fit to make use of them for the necessary defence of the kingdom. 2. That the king shall have Compensation for those legal growing Revenues and profits of the crown, which he hath or shall consent to part withal for the satisfaction of both houses in this Treaty, in such manner and proportion as by the king and both houses shall be agreed upon. 3. That the king shall be settled in a condition of honour, freedom, and safety, agreeable to the laws of the land. 4. That an Act of Oblivion and Indemnity be passed, to extend to all persons for all matters, with such limitations and provisions as shall be agreed upon between his majesty and his two houses of parliament; provided that it be declared by act of parliament, that nothing in these four Propositions, nor any of them thus consented unto, is intended or shall be made use of to abrogate, weaken, or anywise impair any agreement in this Treaty, or any law, grant, or concession, agreed upon by the king,

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and the two houses of parliament, in pursuance thereof."

Letter from Col. Hammond relating to the King's Parole not to leave the Isle of Wight.] Nov. 16. A Letter from col. Hammond, concerning the King's Parole, was read.

"My lords and gentlemen; Give me leave to acquaint your lordships, that the day before the time formerly limited for the Treaty ended, and before it was known here to be renewed, I thought it my duty, (in regard of the great trust the parliament put upon me, in receiving, on their behalf, the king's Parole; and because there was not any that could positively witness to the circumstances of the engagement, except sir Peter Killigrew) to move the king to confirm his parole, and acquaint the commissioners of parliament that he had so passed his word, as desired and ordered by both houses, which accordingly he did, as the said honourable commissioners will better inform your lordships; the next day, and at the commissioners taking their leave of the king, I having had intimation of a question or doubt, whether guards (as was pretended argued a distrust) being kept upon the king, his said parole was not thereby made void, I pressed the king, before them, to declare whether he made any such question; if so, that he would be pleased to declare it. He seeming somewhat surprized, desired time to consider it; professing not to have thought on it before: but I perceiving the danger of such a reserve, pressed him with greater earnestness to a clear declaration of himself in the point; telling him, that otherwise his parole signified nothing; and desired his positive answer, as the case now stood with him. His majesty avoided it long. I then told him, That if the centinels at his door (I having kept no other since the engagement of his word) were offensive to him, I would absolutely clear him in that question. He seemed to make a scruple they should be taken off, they being only set to keep people from pressing into his lodgings, and placed, at a further distance, with the guard that is kept to preserve his majesty's person from violence; assuring him I only depended on his word, which the parliament had pleased to accept, for his not removing out of the Island. I told him it would be then more clear, and that four or five several times: at length, upon my importunity, not being to be satisfied with a doubtful answer, he concluded himself to be obliged by his parole if the said centinels were taken away; which I then promised him, before the commissioners, should be done; and accordingly it was immediately observed. My lords, I thought it my duty to give your lordships an account of these passages, especially hearing there is likely to be a renewal of the king's Parole for some longer time; that if your lordships see cause it may be so put to him, upon renewal of his said parole, as may take off all such reservations, which possibly may otherwise tend to the disadvantage of the parliament. I am, Your, &c. R. HAMMOND. Carisbrooke, Nov. 9."

Upon reading this Letter both houses resolved, "That the King's Parole, given to the governor of the Isle of Wight, doth bind him to a residence in that Isle for 20 days after the Treaty shall be ended; notwithstanding any addition that hath been, or shall be, made by both houses for continuing the Treaty any longer than the 40 days first appointed."—A copy of the above Vote was sent to the King, to which he declared his full agreement.*

Nov. 18. The commons resolved that the Treaty be farther continued till the 25th instant inclusive, to which the lords gave their concurrence.

Further Proceedings of the Commissioners treating with the King in the Isle of Wight.] Nov. 20. The following, among other Papers, from the commissioners in the Isle of Wight, were read in both houses:

The King's FINAL ANSWER concerning the Marquis of Ormond.

"C. *R.* For a final Answer to you, as to your Paper of the 11th instant, concerning Ireland, his majesty saith, That he doth acknowledge that, by your Paper of the 16th instant, the difference betwixt the desire of his two houses and his majesty's Answer, concerning the Proceedings of the marquis of Ormond, is truly stated and observed; for that the two houses do desire his majesty to make a present Declaration against the power and proceedings of the marquis, and his majesty doth consent to make the same at the conclusion of this Treaty in Peace; which he believes is very reasonable on his part to insist on, since the making of such Declaration at the end of this Treaty joins it with his own freedom and security; and the publishing the same, presently, separates it from that consideration. But his majesty conceives it is not rightly inferred, nor that his Answer can reasonably be interpreted to be any countenance or approbation of those proceedings, since his majesty has consented to the matter desired, and differs only in the circumstance of time, which he hopes his two houses will not make very slow. The other parts of your debate his majesty hath well considered of, as he hopes you have done of his replies thereunto; and

* "The king was exhorted to make his escape, which was conceived to be very easy: but having given his word not to attempt the recovery of his liberty during the Treaty, and three weeks after; he would not by any persuasion, be induced to hazard the reproach of violating that promise. In vain was it urged, that a promise given to the parliament could no longer be binding, since they could no longer afford him protection from violence, threatened him by other persons, to whom he was bound by no tie or engagement. The king would indulge no refinements of casuistry, however plausible, in such delicate subjects; and was resolved, that what depredations soever fortune should commit upon him, she never should bereave him of his honour." Hume.

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therefore he adheres to his former Answer to this business, and desires his two houses to consider the largeness of his concessions in this Treaty; and, upon that foundation, to proceed to a speedy settlement of a blessed Peace in England, which his majesty conceives the most probable means to reduce Ireland. Nov. 17."

After reading the above-mentioned Papers, the commons resolved, That the king's Answer to the Proposition for declaring against the proceedings of the lord Ormond in Ireland, is not satisfactory.

Remonstrance presented to the House of Commons, from lord Fairfax and the General Council of the Army, demanding Justice upon the King, &c.] This day, the house of commons was alarmed with a large Remonstrance from the Army, demanding Justice upon the King as the capital delinquent, by being the occasion of all the blood shed during the war. The Entry of this astonishingly bold attempt (while a Treaty was going on between the King and Parliament in the Isle of Wight) stands thus recorded in their Journals: "The house being informed that some Officers of the Army, from the General, were at the door with a Remonstrance, they were called in; and col. Ewer informed them, That the Lord-General, and General Council of the Officers of the Army, had commanded him, and those gentlemen with him, to present this Remonstrance to that honourable house; and desired them to take it into speedy and serious consideration."—The Contemporary Writers in general agree, that lord Fairfax was, in himself, well disposed to Peace, and that he had no personal disaffection to his majesty: a circumstance confirmed by his refusing to act, soon after, as a Commissioner for the Trial of the King, though he was the first person named in the Ordinance for that purpose. It may therefore very justly be enquired what could induce his lordship to appear at the head of this Remonstrance? In order to clear up this point, it is to be observed, That Cromwell, in his triumphant march out of Scotland, had endeavoured to engage the gentry in the north of England to oppose the Treaty's going forward; and several Petitions were presented to the commons for that end, of which the house took no notice. This project failing, he formed a scheme for the several Regiments to petition the lord Fairfax, one after another, demanding Justice upon the King; which was begun by Ireton, his son-in-law's regiment, and then followed by Ingoldsby's, Fleetwood's, Whaley's, Barkstead's, Overton's, and others. The consequence of this was the calling a General Council of Officers, and agreeing upon the Remonstrance now before us; of which Ireton, who had originally been brought up to the law, was the principal penman. Whether, therefore, the General's giving way to the presentment of it was owing to his own inclinations, to his being over-reached by Cromwell's dissimulation, or to an apprehension of the resentment of the whole Army upon his non-compliance, we pretend not to determine; yet certain it is, that he wrote the following Letter to the Speaker, to inforce this Remonstrance, which is annexed to the printed copy of it:—'For 'the hon. Wm. Lenthall, esq. Speaker of the 'hon. house of commons: Mr. Speaker; 'The General Council of Officers, at their late 'meeting here, have unanimously agreed upon 'a Remonstrance to be presented to you, 'which is herewith sent by the hands of col. 'Ewer and other officers: and, in regard it 'concerns matters of highest and present im-'portance to yourself, to us, and the whole 'kingdom, I do, at the desire of the Officers, 'and in behalf of them and myself, most hum-'bly and earnestly intreat that it may have a 'present reading, and the things propounded 'therein may be timely considered; and that 'no failing in circumstances or expressions 'may prejudice either the reason or justice of 'what is tendered, or their intentions of whose 'good affections and constancy therein you 'have had so long experience. I remain, &c. FAIRFAX. St. Alban's, Nov. 16.' This Remonstrance was not offered to the house of lords, nor is there any thing more of it to be found in any of the Contemporary Historians than a short abstract of about a single page: we shall therefore give the whole of it from the Original Edition.*

To the Right Hon. the Commons of England assembled in Parliament; The humble REMONSTRANCE of his Excellency the Lord General Fairfax, and his General Council of Officers, held at St. Alban's, Nov. 16. 1648.

"Our tender regard to the privileges and freedom of parliament, on which our hopes of common freedom and right do so much depend, and our late experience what offence many, even honest men, seem to have taken, and what advantage evil men have made of our least interposing in any thing of civil consideration to the parliament, hath made us for a long time hitherto, as it should always make us even to the utmost extremity, to attend in silence the counsels and determinations of parliament concerning all matters of that nature whatsoever: but finding you to have been, of late, upon those transactions of highest moment, whereupon the life or death of all our civil interest does depend; and that the public affairs in your hands (not without the influence of forcible impulsions from your enemies, and such as have been stirred up by them) are brought to the utmost crisis of danger, which calls upon every man to contribute what help he can; and seeing no effectual help from elsewhere to appear, we cannot be (because, in conscience and duty to God and men, we hold ourselves obliged in such case not to be)

* London, printed for John Partridge and George Whittington, in Black-Friars, at the Gate going into Carter-Lane, and at the Blue Anchor in Cornhill, 1648.

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altogether silent, or wanting in ought we can honestly say, or do, to hold off impending ruin from an honest people and a good cause.—We are not ignorant that that rule of '*Salus Populi suprema Lex*' is of all others most apt to be abused or misapplied, and yet none more surely true. It is too ordinary, especially of late times, for men who, either from intentions of evil, or inordinate temper of spirit, would break those bonds of law and magistracy which they find to restrain them, to frame pretences of public danger, and extremity thereof; and from thence immediately to assume a liberty to break, or else neglect and fly above, the due bounds of order and government, and stir up others to the same; pleading privilege from that vast large rule of '*Salus Populi &c.*' from such mis-applications, whereof great disturbances do oft arise and confusion is endangered; and yet we know the same may be justly pretended and followed, and that (where it is from honest public intentions, and upon clear grounds) with very happy effects: We have seen, in this our age, several instances in both kinds, and the hand of God bearing testimony, and giving judgment for some, and yet against others, where the pretensions have been the same, or so like as it was hard for human judgment to distinguish. And indeed since the right or wrong of such proceedings depends chiefly upon the good or ill, public or selfish, sincere or corrupt, intentions of the parties pretending, (which human judgment cannot ordinarily reach into) and partly upon the justness or causlessness, necessity or lightness, of the occasion taken from those against whom the pretence is; which again depends partly upon their carriages, and partly upon their intentions, the latter whereof is not clearly or properly under man's judgment: and the former, without a full knowledge of particulars, not easy for man to give a certain judgment of; therefore, as the engaging upon such pretences and principles does always imply, and is for most part expressly accompanied with Appeals to God for Judgment, so it is the proper Work of God to bear true witness and give righteous Judgment in such cases; and as he is always engaged to do it sooner or later, clearer or darker; so, in this age and part of the world, he hath seemed both to make haste to judgment in such cases, to give it quickly and speedily, and also to 'make bare his Arm therein,' that men may see it; and hath appeared as a severe avenger against such pretenders, where it hath been in falsehood, and with evil or corrupt intentions; so also a discountenancer thereof, even where it hath been with good intentions, if not necessary in the grounds, or from impatient temper of spirit; and yet in other cases, (where, as the ends have been public and the intentions upright, so the grounds weighty, the case necessary in relation to those ends, and the proceeding sober, temperate, and but proportionable to the ends, grounds, and neccessity) a just assertor and patron of the right, and vindicator of the hidden truth and simplicity, of the pretenders, by a glorious presence with them, and success to them in such proceedings.—Neither wants there Ground for men to make some judgment therein. For certainly he that engageth upon such pretences really for public ends, and but upon public necessity or extremity, and with a sober spirit, (all which must concur to their full justification therein) will both try first all honest ways possible, with safety, in those ends, whereby he may accomplish them and avoid the danger; if possible, with due regard to, and by concurrence or with preservation of, the magistracy and Government under which God hath set him, before he will fly to ways of extremity; neither will he, when engaged therein, proceed further or longer in that way against or without the magistracy, than that first necessity, or some other emergent upon the proceedings, does justly lead, and the security of the ends require; not driving that pretence of necessity further to serve or advantage himself, or perpetuate those ways of extremity; but when the necessity or danger is over, and the public ends secured, will return to magistracy and order again; and mean while so act in all, as carefully to avoid both injury to the innocent and offence to the weak; and as subjecting or expecting, and ready to subject all to an indifferent and equal judgment, even of men, if and when it can be found, and really endeavouring to find it. For our parts, both prudential considerations, and the experience we have of the danger there is in the least breaking or letting loose or entangling the reins of Order and Government, upon such pretences, makes us most tender of it, as that which is never otherwise to be used or admitted than as a desperate cure in a desperate case and at the utmost peril, as well of them that use it, as of those for whom: and the experiences we have seen of God's righteous judgment in such cases, as it makes us not apt, without trembling and fear, to think of such proceedings, so much the more strict to observe all the aforesaid cautions concerning them; and yet where just occasion and a real public necessity calls thereunto, not to fear such appeals to God for any outward difficulties or dangers appearing to ourselves therein; but, both from divine and human considerations, as we do and ever shall avoid the occasions by all means possible, even to the utmost extremity, and do pray and hope we may never come to it; so, if ever such extremity do happen to us, we hope, through the grace of God, we shall be careful and enabled, both in the engaging and proceeding therein, so to act as before the Lord, and to approve ourselves both to God and good men, and as submitting to the judgment of both: and therefore though we are full of sad apprehensions of present dangers to the public interest, and the extremity even at hand; yet we shall first, in all humbleness and soberness of mind, and with all clearness,

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as God shall enable us, remonstrate to you our Apprehensions both of the Dangers at hand and of the Remedies, with our Grounds in both.—First, therefore, we must mind you of your Votes, once past, concerning no more Addresses to the King, &c. (p. 831); and our Engagement to adhere to you therein, (p. 834): concerning which, we shall not invite you to look back to any Grounds thereof, further than to what yourselves declared and published thereupon; and what we, in that our engagement, did summarily lay down as our satisfaction therein; we shall only wish it may be remembered how free you were therein, and what state you and the kingdom were in then, and how it fared with you thereupon, until you began to recede; and how upon and since your receding.—For the first; whatever evil men may slanderously suggest in relation to other matters, yet in this surely none can say you were acted beyond your own free judgments; we are sure, not by any impulsion from the Army; since nothing that ever past from us to you before did look with any aspect that way; but rather to the contrary (we may speak it with sorrow and shame, in relation to that unbelief or distrust in God, and those carnal fears of public disturbance from which we had before been acted so much the other way; so that, in that particular, the juster Resolutions of this house did not only lead us, but help to reclaim us, from thoughts too much wandering the contrary way. For the latter; you may remember, that when you took those Resolutions, discontent, even to distraction, did abound all the kingdom over, in the people, for the burden of numerous and unsettled Forces, and the oppression of free Quarter by them; and, in the Soldiers for want of Pay and satisfaction or security in point of Arrears and Indemnity, their discontents increasing with their arrears: and indeed the soldiery, (in regard thereof, and of some harsh provocations to them, and your former uncertainty in any way of settlement) something loose towards yourselves and their proper government, and disposed too much to disturbances amongst themselves: but upon those Resolutions of yours against any further Addresses to the King, &c. (which all men understood to imply some further intentions of proceeding in justice against him, and settling the kingdom without him) immediately the unsettledness of men's minds and jealousies of several parties (concerning one's compliance with and seeking advantage from the king's party against the other) were greatly allayed, and (together with his opportunities and advantages to cajole, or insinuate with, one or other) did seem to be taken away; and it pleased God instantly to lead you into such other councils and ways, whereby the burden and grievances of free Quarter were immediately taken off, supernumerary Forces disbanded, the rest put into an established way of Pay, the Arrears in some measure secured, and further growth thereof prevented; the distempers amongst the soldiery quieted, and they resettled in good order and discipline; and their hearts, with all honest and sober men, firmly knit unto you; and the whole affairs of the kingdom in an hopeful posture for a Settlement.—But when the house being called, as it were, on purpose for a Settlement, instead thereof, upon what jealousies of some amongst yourselves; what private animosities, envyings, and vindictive desires of others, giving up themselves, with a total neglect of the common and public interest, to mind particular interests and parties; and to seek and take advantages against their opposites even from hoped, if not formed, compliances of common enemies, and appearances from foreign parts on their behalf, whereby to work out revenge against those they immediately maligned; or from what crafty insinuations of corrupt Members, and always false to the public interest, or upon what other evil principles, we are unwilling to remember or imagine; when, we say, upon those, instead of a Settlement upon the former foundation, you began to entertain motions tending to the unsettlement of what you had resolved; and when, by that uncertainty and unsettledness of councils appearing within yourselves, and the answerable insinuations and influences of several Members, according to their several bents and desires unto their respective correspondents and friends abroad, the minds of men, without also, became proportionably unsettled, tossed too and fro with various apprehensions and expectations which way things would bend, and all to see such vast uncertainty of any Settlement or end of troubles upon the parliamentary account alone; then, and not till then, began the generality of the people to be apt for any new motions, especially such as looked towards a Settlement any way; and then began your enemies to conceive fresh hopes and confidences, and bestirred themselves accordingly, to work your trouble and their own advantages: the most subtle and sober of them, dissembling the interest of their own party, and reserving that at the bottom as close and unseen as might be; and taking their rise even from that unsettledness, and those Grounds of Jealousies and Division they found amongst yourselves, and the several parties pretending to parliamentary interest; and from that disposition they found in one party by any means to take advantage and revenge against the other; they made pretences, partly of public interest, and partly of the very particular interests of that party which they found most discontented amongst yourselves, the foundations whereupon to raise new disturbances, and therein to engage a numerous and mixt party; but upon such Grounds and in such a way, wherein the interest of the king and his party were so incorporated throughout, as that the prosecution of all the other interests pretended, in the way that was laid, should carry on, and at last set up, that of the king's and their own above all others.—Thus the Army, which, after all possible trials and

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temptations, they found would never be won to be their friends, so as to desert the parliamentary and public interest to serve their turns, being therefore industriously by them, with the furtherance of discontented parties amongst your friends, rendered the only common enemy; and they themselves, as it were, friends to all but it, and that supposed party in parliament and kingdom that cordially upheld it; they, and their busy promoters of Petitions (stirred up by their emissaries or agents in all counties, for the engaging and cementing of this new-formed and intended general Party) being all taught the same language, at first profess fair for the parliament, or nothing against it; but to be for a full and free parliament, and to deliver it from the force of an army, pretend for the liberty of the subject also, to free them from the oppression and tyranny of an Army; to be for the law of the land against the arbitrary power of a faction in parliament, setting up and supporting themselves above law by the power of an Army; whereas, in truth, their great and latest quarrel against the Army was, That it would not force the parliament to comply with the will and interest of the king, to the prejudice of the kingdom's liberties, and of the power of law therein, nor desert the parliament in their adherence to these against the king.—They pretended likewise to be much for the ease of the people; to free them from Taxes and Contributions to an Army; to be for the Settlement of Peace in the kingdom, that there might be no need of an army; whereas, it was indeed their restless workings, and watching all advantages, by parties within this kingdom or foreign aids, to set up their own and the king's interest, to the ruin of the parliament and enslaving of the kingdom, that did necessitate the parliament to continue an Army and Taxes to maintain it.—They pretended for Religion too, and for Reformation and the Covenant, against an army of sectaries and opposers thereof; yea, they yet pretended even for the Army itself, as to the body of it, and all but a faction of officers in it, supporting themselves in power and dominion by it, that the Army might be satisfied their Arrears, and go home. And, for all these fair ends, presuming upon the parliament's unsettledness and weakness, as not able, or not knowing how, to provide for any of these things of themselves without the king, a Personal Treaty with the King must be held forth as the only sovereign salve.—Thus the people being made to depend mainly upon the king for all, and his interest made necessary to all, the other pretences were but made use of to serve his ends, and an easy way made to set up him and his interest above all.—As to the Hypocrisy of these pretences we need say nothing more; the Lord himself in our silence (even when by such pretexts, and their quick proceedings upon them, they had made such engaging work for us in all parts, as gave us no leisure to say any thing for the undeceiving of men, or vindicating ourselves, or so much as to make any public verbal Appeal to him for it) hath yet from Heaven judged them, and borne a clear testimony against them in defeating, with a small handful, the numerous parties they had thus engaged within the kingdom, and drawn from elsewhere, under the very same pretexts, to invade it; and breaking the force of those designs, so cunningly and takingly laid, and so strongly backed with advantages, as it was scarce imaginable, in human reason, all things considered, how to avoid them.—But however, working upon that unsettledness in the people's minds, which the uncertainty and divisions in your own councils had occasioned; and having the advantage of that general disposition, in a burthened and troubled people, to entertain any motions, and follow any party, pretending to end their troubles and ease their burthens against the present party in power, from whom immediately they apprehend them, they made a shift to engage multitudes to petition for these things; and thence, under the pretence of freeing the parliament from force, to raise arms and levy war against it, at best, to inforce their Petitions; and, under the notion of freeing the people from Taxes to the parliament and quarter to the Army, to make them incur greater charges and burthens for the king and his party; and, by with-holding their Taxes from the parliament, to necessitate Free-Quarter again upon themselves, which before they were delivered from; and, under the notion of settling Peace and the Liberties of the kingdom, to break that we had; and engage the people in an other war on the king's behalf against the parliament and their own liberties, and to get his party, with commissions derived from him, into the conduct and management of it.—But whilst therein, with open force, they do their utmost to destroy and subdue you, they omit not the driving on of that surest part in their design, a Personal Treaty, to deceive you. To promote which they had, besides numerous and daily petitioners from all parts, deluded and drawn in, by the aforesaid specious pretences, the deluded multitude and rabble about the city, with the old Malignants, new Apostates, and late discontented party, both in the city and parliament itself; the one at your elbows, the other in your bosoms, pressing you incessantly. The lords, in every thing relating to the Treaty, closing readily with the Desires of the city Malignants, the Prince, and all your enemies; and, in their Votes for the same, going before you, and haling you after; although in things concerning the prosecution of the war in your own and the kingdom's necessary defence, especially in declaring with you against those visible enemies and actors therein, the Scots Army and others, they would neither lead nor follow. And when at any thing propounded towards the Treaty, wherein you found the very life of your cause and the kingdom's to be concerned, you were loath to give up that; and thereupon made some stick, then clamorous Petitions for a con-

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currence came thick from the city, with menaces insinuated; many debauched Reformadoes, the desperate Cavaliers, and rude multitude about the city, ring in your ears with railings and threats; many faithful members particularly frighted or driven out of town; Forces listed and gathering daily about you, and this the city neither taking course to restrain, nor suffering their major-general to do it; but opposing and incountering his and your authority in what he, by it, attempted for your safety and freedom; and these courses never ceased until you had fully agreed to a Personal Treaty, on such terms as his majesty himself was pleased to entertain.—By these means, and such continued usage from the city, and those in and about it, (at whose mercy you were while your Army was engaged at a distance against your enemies in arms) by that time God had broke all their forces, delivered most of them into your hands, and crushed all their hopes of availing that way, we find them at last drawn into this miserable inconvenience of a Personal Treaty with him and his adherents, who had so long and incessantly tried all interests, and wearied all friends in this and many foreign nations, by force to destroy or subdue you. In which, though we see more utter and less avoidable danger to the kingdom's cause, and to all the godly and honest people engaged with you, than before, in your lowest or worst conditions, we ever yet apprehended; yet considering the premises, and how great the change is from the Votes of no more Addresses, to (not your wonted positive sending of Propositions anew, but) a Treaty, a Personal Treaty, without any previous satisfaction or security; and a Treaty upon what Propositions he should make, as well as your own; all which both houses, yea, both kingdoms, have so often, and always before, declined, voted, and declared against, as delusive and dangerous, yea destructive, while the parliament was unquestionably most free.—We cannot but conceive that at that time, and in those Resolutions for such a Treaty, the judgment of parliament was not with due and former freedom: and, therefore, not despairing but that, as men drawn or driven into dangerous straits, you may readily entertain, or at least favourably resent, any thing of light or encouragement that may be offered towards the saving or extricating of yourselves and those you are intrusted for; we shall, with all plainness and faithfulness, represent to you our conceptions where the main Danger seems to lie, and where any way to escape; and, we hope, it will be thought no arrogance in us, or disparagement to your wisdoms, since lookers on may possibly see something the gamesters do not.—For the Evils and Dangers of this Personal Treaty: Had it been admitted to be indeed with the king's person in parliament, especially at London, and in a full condition of honour, freedom, and safety, (which had implied, that after all the trouble, loss, hazard, and the expence of blood and treasure he had put the kingdom unto, he should be admitted to his throne and office, without any satisfaction before given for what was past, or security against the like in future) the evil and danger thereof had been so visible, as nothing had need to have been said to unfold it. As it is now admitted and qualified for circumstances, (the case being as it has pleased God to make it, that the king has no power in the field, whereby to take advantages during the Treaty) we shall say nothing to any dangers of that kind, supposing no Agreement, save to wish you to consider the opportunities of laying designs for his Escape, or otherwise, and of settling future correspondences, which the company and confluence of such persons about him does afford; but we shall chiefly consider the great Evil or Danger of seeking to him by Treaty, in your present case, and of an Agreement or Accommodation to be thereby made with him, including his impunity and restitution to his freedom, revenue, dignity, office, or government.—Now, as to that, the great Questions will be, 1st, 'Whether, as your and this kingdom's case stands, such an Accommodation would be, 1. Just or good, and so desirable; or, if not, where the injustice or evil lies? 2. Whether safe, and to be admitted; or, if not, where the Danger lies? 2dly, Admitting that, upon some suppositions, it might be good or safe, Whether yet it can be so, or such a one can be had in the way and conditions of this Treaty, as the case stands? If either in the general, or in respect of your and the kingdom's present case, and of the way and conditions of this Treaty, it cannot be safe, then it concerns the parliament not to admit such an Accommodation or Agreement upon this Treaty; and, though it may be safe, yet, if it be otherwise evil or not good, then you have no reason but to use any freedom or just grounds remaining to decline it. To these Questions therefore, because the safety or danger, good or evil, in question, is chiefly in relation to the public interest of the kingdom, and not so much to particular men's, (though even the particular safety of such as have engaged for the public is not to be neglected) to lead ourselves and others to the clearer judgment in the point, we shall premise a stating of the public interest in question, in opposition to the king's, and of his particular interest opposed thereto.—The sum of the public interest of a nation, in relation to common right and freedom, which has been the chief subject of our contest, and in opposition to tyranny and injustice of kings or others, we take to lie in these things following: 1st, That for all matters of supreme trust, or concernment to the safety and welfare of the whole, they have a common and supreme council or parliament; and that as to the common behalf, who cannot all meet together themselves, to consist of deputies or representers, freely chosen by them, with as much equality as may be, and those elections to be successive and renewed, either at times

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certain and stated, or at the call of some subordinate standing officer or council intrusted by them for that purpose, in the intervals of the supreme, or else at both. 2dly, 'That the power of making laws, constitutions, and offices, for the preservation and government of the whole, and of altering or repealing and abolishing the same, for the removal of any public Grievance therein, and the power of final Judgment concerning war or peace, the safety and welfare of the people, and all civil things whatsoever, without further appeal to any created standing power, and the supreme trust in relation to all such things, may rest in that Supreme Council: so as, 1. That the ordinary ordering and government of the people may be by such offices and administrations, and according to such laws and rules, as, by that council, or the representative body of the people therein, have been prescribed or allowed, and not otherwise. 2. That none of those extraordinary or arbitrary powers aforementioned may be exercised towards the people by any, as of right, but by that Supreme Council, or the representative body of the people therein; nor without their advice and consent may any thing be imposed upon, or taken from, the people; or if it be otherwise attempted by any, that the people be not bound thereby but free, and the attempters punishable. 3. That those extraordinary powers, or any of them, may be exercised by that Supreme Council, or by the representative body of the people therein; and where they shall see cause to assume and exercise the same, in a matter which they find necessary for the safety or well-being of the people, their proceedings and determinations therein may be binding and conclusive to the people, and to all officers of justice and ministers of state whatsoever; and that it may not be left in the will of the king, or any particular persons standing in their own interest, to oppose, make void, or render ineffectual such their determinations or proceedings; and especially, since the having of good constitutions, and making of good laws, were of little security or avail, without power to punish those that break or go about to overthrow them, and many such cases may happen, wherein the former laws have not prescribed or provided sufficiently for that purpose, or the ordinary officers intrusted therewith may not be faithful, or not able, duly to execute such punishments on many offenders in that kind; that therefore the same council or representative body therein, having the supreme trust, in all such cases where the offence or default is in public officers, abusing or failing their trust, or in any person whatsoever, if the offence extend to the prejudice of the public, may call such offenders to account, and distribute punishments to them, either according to the law, where it has provided, or their own judgment where it has not; and they find the offence, though not particularly provided against by particular laws, yet against the general law of reason or nations, and the vindication of the public interest, to require justice; and that, in such case, no person whatsoever may be exempt from such account or punishment, or have power to protect others from their judgment, or, without their consent, to pardon whom they have judged.—These things contain the sum or main of public interest; and as they are the ordinary subject of civil contests in all mixed states, where they happen betwixt the people and those that have assumed or claimed a standing privilege or prerogative over them, so they have been in this of ours. And against these matters of public interest, this king hath, all along his reign, opposed, and given himself up to uphold and advance the interest of his and his posterity's will and power; first, That there might be no such Common Council, no parliaments at all to restrain or check him; but that all these matters of supreme trust, concerning Safety and all things else, might rest in him and his breast alone, without limit from, or account to, any on earth; and that all those extraordinary and arbitrary powers over the people, their laws, liberties, properties, yea, their persons and consciences too, might be exercised at pleasure by himself, and such as he pleased to derive the same unto: and as they were assumed, so how vastly and sadly ill they were exercised by him; to the prejudice and oppression of the people in general, and the ruin or persecution of all the godly of the land; yea, even of those that were but sober and honest to civil interest; surely, (unless the greater pressures he hath since wrought himself or brought upon us, by necessitating the parliament thereunto, have swallowed up the former in oblivion) we need not yet make any verbal remembrance.—To support himself in that state or height of Tyranny, and make it absolute, he raised his first and second Armies against his people in both kingdoms; when he found he could not keep up to that height to have all those extraordinary powers and matters of supreme absolute trust in himself alone, then he fell to play lower; that at least none of them might be exercised by any other without him, no not by all the trustees of the land, nor in any case, though ever so necessary for the relief or saving of the people; that if, according to his former claim, his people and parliament would not admit him positively to oppress or destroy them at his will, yet, by this latter, they should have no power to redress a Grievance, to provide for the freedom, welfare, or so much as immediate safety, of themselves or the kingdom, but at and according to his pleasure; and for this, when the parliament did otherwise assume in point of immediate safety and punishment of Delinquents without him, he raised his third Army, and held them up so long and so much, to the spoil and near desolation of the kingdom, till God wholly broke them, and brought himself captive into your hands. And in this, though he raised them with the pretence only of opposing the exercise of those extraordinary and arbitrary powers by yourselves, or any other

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without him, which would not be allowed himself to exercise alone; yet, in the raising and having raised that force, he did by it assume and exercise all kinds of absolute and arbitrary powers at his own will alone without parliament; and how much further he would have gone in exercise of the same, had he prevailed as you, we may easily imagine.—But as to that part of his claim against the public interest, viz. That there might be no power in parliament to provide for immediate Safety, or do ought else for the people, but at and according to his will, how obstinately, even since God gave him and his party wholly into your hands, hath he maintained and persisted in it? even so long as from foreign parts or allies, from Irish, Scots, from your own divisions, or discontents of the people at the burthens he necessitated you to continue upon them, he had any hopes, by force, to prevail against you, or avoid any concession against that claim: and of this his so many denials to the Propositions of Peace, which both houses and both kingdoms have so often tendered and renewed, yea, of those 4 only Bills, concerning purely that public interest, and but a small part of it, together with essential precautions for a Treaty, do afford abundant evidence: as to which last tender it is apparent he had no pretext left for refusal, from either scruple of conscience, matter of harshness to his party, or ought else, but the mere interest of will and power to himself and his, which some Scots and other correspondences, it seems, then gave him hopes yet, by force, to uphold; insomuch as upon that refusal, added to all the former, you found it necessary at last to take up those resolutions of no further Addresses to him, but to settle the Peace of the kingdom without him, and secure it and yourselves against him, and, in order thereto, to keep his person in safe custody at Carisbrooke Castle. —But when, his other claims so far failing, it came to this, he that before would not have allowed the parliament or kingdom a power for safety but at his will, would, at least, make you know that neither you nor the kingdom should have any peace or quiet without him; and that neither parliament nor any power on earth, whatever ills he had done, might, for it, attach or meddle with his sacred person; no not so much as to secure him from opportunities of doing more: and for this last part of his interest his fourth Army, the last war, was raised by commissions from himself to the Prince, and, from him, to as many more as would take any; and for the same the Scots Invasion was procured.—The pretext or quarrel in this last Engagement seemed, as it were, to reach no higher than only to rescue his privileged person, and force the parliament yet, in a Personal Treaty, to seek Peace at his will, and to let them see they could not otherwise have it, nor might do ought against his person, no not to secure him from doing further mischief, though he make war and refuse peace never so long.—And for this last piece of his interest, as opposite and destructive to that of the public as any of the former, though a Divine Testimony has been borne against it, as full and more glorious, if possible, than before against any of the rest; as if God would thereby declare his designing of that person to justice; yet the parliament, after all this, restoring him, without any pre-satisfaction or security, unto a kind of liberty and state, only that he might appear in a capacity to treat; and then, by treaty, seeking their Peace, and all their matters, before contended for, and, through God, gained against him, to come now as concessions from his will, do clearly yield back that last piece of his claimed interest into his hands again; and indeed, therewith, seem to render a more real acknowledgment and yielding to him, both against parliament and kingdom, as to the precedent just Right of whatever is now demanded, or granted, as from him, than all his verbal wrested Concessions or Confessions will be understood to be, unto parliament or kingdom, as to any future clearing or assurance of those things.—But, to return to our purpose. The matters aforementioned being the main parts of public interest originally contended for on your parts, and theirs that engaged with you, and thus opposed by the king for the interest of his will and power, many other more particular or special interests have occasionally fallen into the contest of each party; as first, on the Parliament's part, to protect and countenance religious men and Godliness in the power of it; to give freedom and enlargement to the Gospel, for the increasing and spreading of light amongst men; to take away those corrupted Forms of an outside Religion and Church-Government, whether imposed without law, or rooted in the law in times of popish ignorance or idolatry, or of the Gospel's dimmer light; by means whereof snares and chains were laid upon conscientious and zealous men, and the generality of people held in darkness, superstition, and a blind reverence of persons and outward things, fit for Popery and Slavery; and also to take away or loosen that dependence of the Clergy and Ecclesiastical affairs upon the king, and that interest of the Clergy in the laws and civil affairs, which the craft of both in length of time had wrought for each other; which several things were the proper subject of the Reformation endeavoured by the parliament. —Contrarywise, on the King's Party, their interest was to discountenance and suppress the power of Godliness, or any thing of conscience obliging above or against human and outward constitutions; to restrain or lessen the Preaching of the Gospel and growth of Light amongst men; to hold the Community of men, as much as might be, in a darksome ignorance and superstition, or formality in Religion, with only an awful reverence of persons, offices, and outward dispensations, rendering them fit subjects for ecclesiastical and civil tyranny; and, for these ends, to advance and set up further forms of superstition, or at least hold fast the old which had any

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foundation in the laws, whereby chains and fetters might be held upon, and advantages taken against, such in whom a zeal or conscience to any thing above man should break forth; and to uphold and maintain the dependance of the Clergy and Church matters upon the king, and the greatness of the clergy under him; and, in all these things, to oppose the Reformation endeavoured by the parliament.—Also, on the Parliament's Party, their interest, as well as duty, was to discountenance irreligion, profaneness, debauchery, vanity, ambition, and time-serving; and to prefer such especially as were otherwise given, viz. conscientious, strict in manners, sober, serious, and of plain and public spirits.—Contrary to these, on the King's Party, it was to countenance or connive at profaneness, looseness of manners, vanity and luxury of life; and prefer especially such as had a mixture of ambition and vain glory with the servile spirit, rendering them fit to serve another's power and greatness, for the enjoying of some share therein to themselves; in all or most of which respects, it has been the great happiness and advantage to parliamentary and public interest, that it hath been made one with the interest of the Godly, or, for the name whereof it has been so much derided, the *Saints*; as on the other side, the king's hath been made one with their greatest opposites; by occasion whereof God hath been doubly engaged in the cause, viz. For that, and for the righteousness of it. And to this indeed, through the favour and presence of God therewith, the parliament hath cause to own and refer the blessing and success that hath accompanied their affairs; which, accordingly as they have held square, and been kept close to this, have prospered gloriously; and, (wherein, or so oft as this hath been thwarted, swerved from, or neglected in their manage) have suffered miserable blastings.—Thus have we endeavoured to give a just and plain state of the Parliamentary or Public Interest, and the several parts of it, and of the King's in opposition thereto, which have been the ground or subject of contests all along this king's reign; and especially since this parliament began, as may appear in the beginnings, progress, and several steps of the contest: and, by what hath been occasionally said herein, some judgment may be made, how far safe or good the Accommodation is like to be that can be expected by the present Treaty. But the several and opposite interests being thus stated, we shall proceed more clearly to speak a little to the Questions stated before:—*First*, therefore, as to the Goodness (which first implies the Justness) of such an Accommodation we cannot but suppose, 1. That where a person, trusted with a limited power to rule according to laws, and by his trust, with express Covenant and Oath also, obliged to preserve and protect the Rights and Liberties of the people, for and by whom he is intrusted, shall not only pervert that trust, and abuse that power to the hurt and prejudice of the generality, and to the oppression, if not destruction, of many of them; but also, by the advantage of that trust and power he hath, shall rise to the assuming of hurtful powers which he never had committed to him; and indeed take away all those foundations of Right and Liberty, and of redress or remedy too which the people had reserved from him; and to swallow up all into his own absolute will and power; to impose or take away, yea, to destroy at pleasure; and declining all appeal herein to the established equal judgment, agreed upon as it were betwixt him and his people in all emergent matters of difference betwixt them, or to any judgment of men at all, shall fly to the way of force upon his trusting people; and attempt by it to uphold and establish himself in that absolute tyrannical power so assumed over them, and in the exercise thereof at pleasure; such a person, in so doing, does forfeit all that trust and power he had; and, absolving the people from the Bonds of Covenant and Peace betwixt him and them, does set them free to take their best advantage; and, if he fall within their power, to proceed in judgment against him, even for that alone, if there were no more. 2. That if after he is foiled in such an attempt, brought to quit that claim, to confess his offence therein, and give them some verbal and legal assurances of Remedy, and future Security; and his parliament and people thereupon remitting or willing to forbear that advantage against him, the same person, so soon as he finds himself a little freed from the advantage which drew those confessions and concessions from him, shall go about to avoid or overthrow all again; shall deny them necessary Redresses or Security; stop or oppose them in going thereabout; deny them all power either of Redress or immediate safety, but at and according to his will; and assume the power to avoid and oppose any thing they should do without him, who had so lately forfeited all the power he had unto them; and for all this fly to force again; raise it without limit, by it protect Delinquents from judicial proceeding; and resume and exercise again alone, even sitting a parliament, all the exorbitant and unlimited powers he had so lately disclaimed; proclaim that Supreme Council, by which he ought to govern himself and the kingdom, traitors and rebels, who had indeed so lately indulged him his first treason and forfeiture; and, on these terms, maintain a war many years against them, to the spilling of much blood, and desolation or spoil of a great part of the kingdom; try all means and interests, by divisions and parties stirred up within, and invasions from abroad, to lengthen it out longer; and after he was subdued, wholly in their power and at their mercy, to revive and renew it; multiplying disturbances, and never ceasing till he had wearied all friends in his own and neighbour nations, or so long as any hopes were left whereby possibly to prolong it; and all this merely to uphold the interest of his will and power against the common interest

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of his people; such a person in so doing (we may justly say is guilty of the highest treason against the highest law among men, but however) must needs be the author of that unjust war; and therein guilty of all the innocent blood spilt thereby, and of all the evils consequent or concomitant thereunto.—Now, to assume hereupon, whether the king has not, in the same case, acted all these things and more, we dare appeal to the Story and Evidence: if he has not, or can justly alledge and make it appear, that what he has acted thereof has not been for the interest of his will or power, or not against the public interest of his people; or that the parliament, or any particular party in the kingdom, have raised or continued the war for private interests of their own, and not for that public interest of the kingdom, which we have before stated; but that they might have had all that cleared and assured to the kingdom with quietness, and would not accept it; let him then be acquitted in judgment, and the guilt and blame be laid where else it is due. But if indeed he hath acted such things, and in such case, as before expressed, and all for the particular interest of his will and power against the public interest of the kingdom; then, (without mention or consideration of ought he has done against God and Godliness, or godly men; and though we have touched but a few of those many moral or civil evils acted by him, which have been judged capital in several of his predecessors from whom he claims, yet) from that alone which is before spoken of, we may, without need of his late implicit confession, conclude that he has been the author and continuer of a most unjust war; and is consequently guilty of all the treason it contains, and of all the innocent blood, rapine, spoil, and mischief to the kingdom acted or occasioned thereby; and if so, how far the public justice of the kingdom can be satisfied, the blood, rapine, &c. avenged or expiated, and the wrath of God for the same appeased, without judgment executed against him; and consequently, how far an Accommodation with him, implying a restitution of him, when God hath given him so clearly into your power to do justice, can be just before God, or good men, (without so much as a judicial trial, or evident remorse appearing in him proportionable to the offence) we thus recommend to your saddest and most serious consideration, who must one day be accountable for your judgments here on earth, to that which is the highest and most just.—Indeed both as to the justness and public benefit of such an Accommodation, we shall confess, (if there were good evidence of a proportionable remorse in him, and that his coming in again were with a new or changed heart, as to these things he hath formerly fought against, and from those he hath contended for, his offence being first judged according to righteousness) his person might be capable of pity, mercy, and pardon; and an **Accommodation with him, with a full and free** yielding, on his part, to all the aforesaid parts of public and religious interest in contest, might, in charitable construction, be just, possibly safe and beneficial: or if in the heat of war, before God had so clearly given his double judgment against him in the cause, or delivered him into your hands for yours; and while affairs stood in some equal balance, you then in love of Peace, which it is good to seek with all men, and for saving a further bloodshed and misery to the kingdom, (which in that case you could not otherwise avoid) had, upon a full provision for the matters in question, and good security for the future against him, made a Peace, by Accommodation with him, as by your many Addresses you endeavoured, it might have been excusable in point of prudence; though you had incurred a more remote future hazard, because thereby you had avoided another more immediate and present; yea the hazard had been less, because to what he had then agreed, all men would have accounted him bound, being then unquestionably free; and the point of justice had not then been so clearly required at your hands, because not yet altogether in your power.—But as this whole latter supposition is, by time and the good hand of God towards you, excluded the case, so neither is there any colourable Ground for the former, but evidence of the contrary: for, as to that only colour of any change of heart in him, which his implicit confession of a fault, in yielding to your first Proposition, does import; first, how slight and slender that confession is, the tenor of that Proposition may shew; and yet, had he timely, freely and clearly, confessed but so much, as from conviction or remorse, or from a sense of the hand of God against him, or had left us but a ground of charity to believe it so, we should have thought ourselves bound to regard it with proportionable tenderness towards him; or at least, should have thought it not ingenuous nor Christian to take advantage, from such confession, the more to prosecute him for it; but having so long and obstinately, both in word and practice, till now, denied it; and never confessed it, until all his other ways of force, policy, or fraud, whereby he hath attempted to justify himself, had failed him; and no other shift left, but by this forced, yet seeming yielding, acknowledgment to save himself and delude the people, until he can find or work out some new advantage; and confessing it now but conditionally, viz. So as you agree with and satisfy him in other things; which kind of confession, where the matter in question is concerning true or false, just or unjust, and extending to innocency or horrid sin, does seem to imply such hypocrisy as, we think, was never yet so proclaimed before God and the world: and when, at the same time, while thus in words he confesseth it, yet in practice he denies it still, by his continuing and not recalling his commissions to the Prince and other English rebels and revolters; yea to Ormond and his associated Irish rebels also,

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all which are so contrary to that verbal confession; and by his trying all interests still to make a party against it; in this case, it were stupidity, rather than charity, nay indeed we think a wrong to his intentions, to understand that confession as from inward remorse or conviction: so that as the case stands, it goes only so far as may serve for further ground of condemnation against him; but not at all of satisfaction from him.—And admitting no such Change or Conviction, even when there are verbal confessions and concessions carrying a semblance thereof, but that his restitution would be with the same principles and affections, both as to civil and religious interests, from which he hath acted the past evils; and, after some former like acknowledgments and agreement, hath returned to the same bias upon his next advantages; then, besides the unrighteousness of the Accommodation and readmission, which is before already cleared; and besides matter of danger, which we shall shew in its place, we desire all good men to consider it as to the other point, the Public Benefit.—And here, what Fruits can be hoped from such a re-union or renewed communion betwixt those contraries God hath once so separated, viz. Of Principles or Affections of Liberty, with principles of Tyranny; principles of public Interest, with principles of Prerogative and particular Interest; principles of Zeal and the power of Godliness, with principles of Formality and Superstition in Religion; we might say indeed, of light with darkness, of good with evil, as would be implied in his restitution; to be, as it were, your head, your King again, and to have that high trust and influence in relation to our Peace, Rights, and Liberties, civil and religious, with the same principles and affections from which he hath so much and so long opposed them? for, if his Kingly Office be not of use or trust in relation to them, what needs his restitution? if it be, then this doubt holds just.—Next, to the other part of the preceding question, viz. Concerning the Safety of an Agreement for his Restitution, especially supposing no real remorse or change, but still the same principles and affections; although in the terms of the Accommodation and Restitution, you had a more ample concession of the public interest in question than you are like to have when he hath granted all you have demanded, and as full security for future observance of the Agreement as words or letters, yea oaths, can give; and though we might suppose him as true and just in the observance of such an Agreement as other kings or princes (once given up unto, and engaged upon, such principles and ways of tyranny or self-interest) use to be; yet, first in general, we might make a just appeal to the experience of ages and nations, what Danger there is in any such Accommodations, both to the public interest in contest, and to the persons or parties that have engaged for it; and we might challenge all story for one instance in the like case, viz. Where any such king, claiming and assuming such powers and prerogatives over a people beyond his bounds; and, upon opposition from the people therein, flying to force; and, in a war upon them, endeavouring to gain the same by conquest; but instead thereof losing both what he so claimed, and all he had before in a full conquest, on their parts, over him; we say, in such case, we would fain see an instance where ever, after so long a war, so much blood spilt, and such spoil made, the people having at last wholly subdued him, and gained their own cause in that way of force and conquest, to which he had so appealed, and having him and his party captivated and in their power, did either willingly subject all to question again in a Treaty with him of their own tendering; or by it seek both that public interest, (or rather but a slender portion of that which God had so wholly and freely, by his righteous judgment, given unto them) and even their own safety and indemnity therewith, to be all had as concessions from that their enemy's hand; and deeming him as a person not punishable or accountable for whatever evil he had endeavoured or done, to restore him upon such concessions to his throne again; we say, we would gladly have a parallel instance, where ever indeed any people, before this, were in the like case given up to such a preposterous and self-defeating way; or an instance of almost any Accommodation of the like kind at all, with a readmission of such a person to the same office, state, and revenue, with the least shadow of the same power, or to the least footing therein, upon the same account or claim of Right, on the foundation whereof he had before assumed such powers; where such Accommodations ever proved safe either to the public interest in contest, or to the persons engaged therein; or did not prove ruinous to the one and the other, or at least end in the irruptions of new and more bloody and bitter contests about the same things, either in the same or succeeding age, and those with more hazard and disadvantage to the public interest and party adhering thereto, than the former; or where indeed any people contending, and once engaging in war against a tyrant for their liberties, did ever fully redeem and hold the same with a re-admission of him; or without, first or last, disclaiming and renouncing all dependance on him, or accord with him for the same; and an utter rejection, expulsion, and deposure, either of his whole race, and all that claimed upon the same account of Right, or, at least, of his particular person; and execution of justice upon him, if he fell within their power.—With this latter way of proceeding we have heard of many instances of people fully recovering their Liberties, and happily retaining the same; but, without it, or in the former way of Accommodation and Restitution, we have not heard, or read, of any so succeeding. There is abundant experience to teach us how ordinary, yea, we may say constant, a thing it has been for Kings

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and Princes in such cases, when they could not prevail in the way of force, to leave that, and apply themselves by fraud to accomplish their ends and wills upon the people; and when, in such contests with them by the sword, they have been brought into straits, then to cry up Peace; and, under that glorious Golden Bait, which the people, wearied with war, and the troublesome and chargeable concomitants thereof, are most apt to catch at, having drawn them into ways of Accommodation, to make some feigned yielding-up of those prerogatives and advantages they find they cannot hold; and, by large promises, concessions, and assurances on any terms, to make Agreements with them, whereby to quiet the people, and get themselves into the throne again; and yet afterwards, upon their next advantage, to break and make void all again and prosecute such advantages, to the overthrow both of the public interest, and those that had engaged for it, without regard of faith or oath, further than necessity hath held them thereto, where any advantage for the accomplishing of their ends hath led them to a breach. How apt first such princes are to this, and next how easy it is for them, when they find advantages, to find occasions also, and pick quarrels to make a breach, even with a colourable saving to their faith and honour, engaged in such Agreements; and lastly, how easy also, after they are so got into the saddle again, and the people, by their fair concessions, promises, and engagements, lulled into a security, to find or work out such advantages to themselves; and prosecute them to greater prejudice both of the public and the particular persons engaged for it, than before such contests begun, or without such accord thereupon, they could have done; as experiences do abound, so there wants not reason enough to teach us.—For the first: Where a Prince is once given up to that Self-interest of his will and power, so as to make it his highest end, or, at least, to prefer it above the public interest and welfare, yea above the safety and peace of his people, (as, when he makes war against them for it, it is apparent he does) and to prefer it above Religion too, (as is evident, when he attempts the moulding and forming of Religion to subserve that end) such a person sure cannot want any principles of falsehood, cruelty, or revenge, suitable to such an end; neither in reason is it like that he will regard any engagements of faith or oath, or stop or boggle at any thing of that kind, further than necessity does hold him thereto, or where a necessity or advantage, for the accomplishing of that his highest end, does lead to a breach. And indeed, when the bonds once accepted by him with unquestionable freedom, at his admission to the throne, the bonds of law, yea the fundamental bonds of trust betwixt him and his people, the very Covenant of Peace, yea the Oath of God betwixt them, would not hold him; but of his own mind, without occasion before given, have been all violated by him: and, to justify himself, and protect his instruments in that, the law of force, admitting no bounds but power, hath been chosen and set up by him, and prosecuted to the utmost in a long and bloody war; how can it be expected that the bonds of new Concessions and Agreements, with whatever assurances, that are but verbal or literal, being imposed by force upon him, or yielded to from nothing but an invincible or powerful necessity, can be of more awe or regard with him, or power to hold him, when any advantage to gain what he sought, or recover what he lost, does offer itself? and as for Revenge; how natural it is for a prince, so given up to that self-interest of will and power, and how necessary to his interest to seek and prosecute revenge against all eminent opposers, and much more the oppugners thereof, we wish your own reason, and the experience of others, may rather warn you, than that you should put it to trial in your own cases.—And hath your and our experience of the king, with whom we have to do, given Cause to hope better things from him, in these respects, than other ages or nations ever found from other princes in the like case? First, for point of Faith-keeping, besides his first numerous breaches of his original faith to his kingdoms in the whole manage of his government and trust before the wars, witness his accords with the Scots nation, and how he kept them; his seeming compliances in part with this parliament, in the time of his straits, and feigned acknowledgments of past errors, with promises of redress and future amendment, until your bounty, in paying off the Scots and English armies, at that time, had delivered him from those straits; and then, so soon as you came to those particulars which should have effectuated that redress and assured future Remedy, by tying his hands, and deterring others from the like exorbitances, immediately flying out again to higher and greater; and, first by policy, then by force, going about to overthrow those foundations of Remedy which he had granted in the ascertaining of this parliament, &c. And let those many particulars of hypocrisy, dissimulation, and treachery, couched under his fairest overtures, professions, and protestations, which yourselves in several Declarations have observed and recorded, bespeak what cause there is to confide in his promises or engagements.—As to his Innocency in point of Revenge, witness those petty revenges, after several parliaments, and yet some of them extending to death through hardship of imprisonment, which were sought and taken against such patriots as had, in them, appeared but to assert the common liberties against his interest. Witness his attempts of higher, in the proceedings against the Members he impeached; and let the several designations of some to the slaughter, some to exile, others to prisons, all to misery of one sort or other, which, upon any hopes of prevailing in the former or latter war, have been made against his eminent opposers amongst you, suffice to teach you and

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your adherents, what mercies might be expected from him and his party, if he ever had, or yet shall gain, the advantage over you.—Next, for the Facility of a Prince's finding occasion and quarrel after such an agreement to make a Breach, when he finds his advantage, and yet with some colourable saving to his honour: we know, in all mutual Agreements, where each party grants and takes, and something is to be made good by each party towards the other, how easy it is to find, or pretend a failure of full performance, and thence to avoid the obligation to the Agreement; and especially in agreements of state, if all matters of power, trust, and right are not fully cleared and determined, so as to state the Supreme Trust and conclusive judgment, to all intents and purposes, fully and absolutely in one party or other, but that something be left divided, or at least suspended, betwixt them; in such case, how easy is it for the party that is loser by the Agreement to find, or feign, an intrenchment of the other beyond the stated bounds, and thence to make a new breach when he sees his advantage for it? but however, when any thing within the compass of what was so left suspended does, in practice, come to question and difference, and neither party trusted singly to conclude, there is a clear foundation for a breach; unless they either agree to lay the matter aside, which perhaps the gaining party cannot do, and so, by the loser's mere standing off, may be necessitated to appear the first actor in a breach, or else come to a new agreement upon every such particular.—We know, besides, what Court Maxims there are amongst the King's Party concerning some Fundamental Rights of a Crown, which the king cannot give away; and their common scruple whether a king, granting away such or any other hereditary crown rights, can oblige his heirs or successors, or exclude their claim: but if all other pretexts fail, their non-obligation to what is wrested from them by force, in a powerful rebellion, as they count it, will serve such a king's conscience for a shift to make a Breach, where he finds his advantage. And are not all these occasions or pretexts obvious in our case? To say nothing of the matters of Supreme Power and trust, which, though all your Poposition be granted, will yet be left divided or suspended, not only betwixt the several houses, but betwixt them both and the king; nor yet of the imperfect bargaining for several parts of it, which, by the tenor of the Propositions, are taken, some, as it were, by lease, all by grant, from the king, so as to confirm rather than weaken his claim of the original Right to be in him and his; from both which kinds of defect or uncertainty in the Agreement there will be left many apt occasions, and particular grounds, for a breach when time shall serve. It is not apparent that, from that more general consideration of the condition of the king in this treaty, and the force or necessity lying upon him, a ground of evasion or exception lies to the whole agreement, as not obliging on the king's part, whatever concessions or assurances are so drawn from him? what account the king and his party do upon that ground make of the Treaty, besides the common voice of them all in all corners, That the king, good man, is merely forced to what he grants, we may see it publicly and authenticly, avowed by the Prince and his Council, in his Declaration in Answer to the earl of Warwick's Summons of the revolted Fleet at Goree; where, besides other passages hinting the same thing, the Prince clearly says, 'The king, in 'truth, is still in prison, with such circumstances 'of restraint, as, to say no more, are not usual 'in the case of the most private person; and 'whose delivery and freedom therefrom all his 'subjects are obliged to endeavour, by the laws 'of God and man, to their utmost hazard (p. 1028); and afterwards invites the earl of Warwick to join with his highness, in the rescue of his royal father from his unworthy imprisonment. This being in Answer to that Summons, wherein the earl of Warwick invited the Ships to come in upon that very ground, that the king and parliament were in treaty for Peace, we can take to intend no less than a plain disavower of this Treaty, and a disclaimer of whatever shall be concluded thereupon; and, coming from the Prince and his council, consider him as heir-apparent, it serves at least to acquit himself and posterity from being concluded by what his father in such case shall consent unto, to the prejudice of the crown; and, consider him as having, by his unlimited commission as generalissimo, the highest power of the kingdom which the king could devise to give; and so he and his council, while the king is in durance, being the next visible head of the king's party; and having the highest trust in relation to the interest of the king, his crown, and party; it is also, on the king's and their behalf, the most authentic Declaration of their sense of the Treaty, which could well be expected in the case, while the king and his council here, being supposed under force as to all things else, cannot be supposed free in that point to declare his real judgment; and so it may serve in behalf of the king, his heirs, and whole party, as a Protestation against any conclusion by this Treaty, or whatever shall therein be drawn from him to his own or their prejudice. And, indeed, the king himself, in divers of his Papers that have come from him to you in relation to this Treaty, has, in such soft language as might befit the condition of your prisoner, insinuated the same sense of the Treaty, and his condition therein, and of the validity or repute of any conclusions thereupon, while his condition should remain the same, and not more free. And these several Declarations and Insinuations hereof being sent, those from the king, immediately to yourselves; that from the prince, his general, to your admiral, and from him to your own hands; and both being sent you during the Treaty, before any conclusion upon it, will remain upon record before you perpetual witnesses

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against the validity thereof, or any obligingness as to them. Nor is it his or their sense alone, or without grounds to gain belief, but, (considering he is but so small a step removed from the Castle, where he was your absolute prisoner, and still confined within the town or island, which is your garrison; and so remaining under the power of your guards, and even in that condition being but upon his parole) we doubt the same sense and judgment thereupon will be aptly made and received, by intelligent spectators both of this and neighbour nations, and by ages to come; and that the degree of enlargement you have afforded him, with the petty state added, will be understood but as a mock-liberty and counterfeit of state, intended only to set him up in some colourable posture and equipage to be the more handsomely treated with; but not as a setting him free from your force, or leaving him free in what he grants, so as to render it obliging when granted: and though, as to the reality of the case, there might be freedom enough to make his concessions in honesty obliging, or his absolution therefrom at least disputable, yet he, and the Prince in his behalf, having, as is before expressed, in the best way they could, declared to you beforehand their sense to the contrary, as to his and their part, his condition in the Treaty standing as it was; if you, after such fair and timely warning, would needs yet proceed in Treaty, without alteration of his condition or the terms of it, and come to conclusions therein to bind up yourselves, who will not say he and his party had reason so far to comply with your proceeding upon it; and yet account that, as to any obliging on their part (whether he were really under duress or not, yet) their timely precaution to you concerning their contrary sense of it, was a sufficient acquittal of them, not only from being bound by any agreement upon it, but from any imputation of deceitful dealing with you, though they observe not what shall be so agreed upon; since, after such precaution from them, it was your own fault, and at your own peril, if you proceed with them upon so rotten a foundation; so as if you be cozened, you cozen yourselves, and cannot blame them or any body else for it.—And truly this consideration, as (when we first took notice of those Passages in that Declaration from the Prince, and the King's Papers) it did more awaken us to consider your hazards in this Treaty than before; so it serves most clearly to set forth the miserable straits and snares you are thereby intangled in: To look no further into particulars, that great and dangerous evil, of old so much declined and abhorred by you and our Brethren of Scotland, and more lately so much struggled against by yourselves in the previous debates concerning this Treaty, viz. the King's Return to London, and to his parliament and throne again, without Satisfaction and Security before given, is thus at last like to come upon you; and that upon worse terms, if you proceed in this Treaty to conclude yourselves and re-admit him, than if you had let him come without any foregoing Agreement at all; for had you let him come so, both yourselves and he being free, if then he had granted any thing of Satisfaction or Security, all men would have accounted him bound by it, and the concession valid; or if he had denied you necessary things in that kind, your further proceeding in other ways to secure yourselves and the kingdom against him, would have been thought more necessary, just, and clear: and though, being at liberty, he had personally headed his party in the City and elsewhere, with greater advantages than ever, to assert once more his old quarrel in a new war, yet you had known the worst of it, viz. to fight it over again only so much the sooner; but in the way you are now engaged in, the king has the advantage to yield to any thing at last which he cannot get you to abate; and yet when, having granted all, he gets, upon your own terms, to his beloved seat and throne again, behold he is free, as if he had granted nothing, to take the best advantage against you when he sees his time; and mean while may rest secure in a good condition and wait his advantage, having got your hands bound; till he, finding it, shall strike the first stroke again, which it is like he will make a sure one, if he can, to disable you from a return.—We proceed to the next consideration, viz. How easy it is for a Prince, after such Accommodation, admitting him either not bound, or not conscientious of his bonds, or having occasions or pretexts for a breach, to find or work out advantages, whereby to overthrow all he has granted to the public interests; and, in the ruin of those that engaged against him for it, to set up his own above all; which, for brevity, we shall not so much consider generally in the common advantages which princes in such case usually have, as particularly in those which this king clearly has, or is like to have, in this of yours.—The king comes in with the reputation, among the people, of having long graciously sought Peace, although indeed ever since he found you in condition to oppose his force, it was his interest and his best play; and especially since you had beaten his force, it was his necessary and only play. He comes with the reputation of having long sought it by a Personal Treaty, which at last has proved, as he prophesied, the only effectual means; and so you having so long denied that, and only plied him with peremptory Propositions, and yet at last granting it, are, in that self-condemnation, rendered by his friends, as having deceitfully or unnecessarily continued burthens, and refused Peace so long, in refusing that the king's way, in which you might as well have had it sooner as now: although the truth is, neither the Treaty, nor the personality of it, have advanced the business one jot; since the king grants now the same things, and in the same terms, which he has so oft in particular denied, yea, protested and sworn he would not; and the

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alteration is far enough from conviction by Treaty, as is before demonstrated, and visibly from a greater necessity or advantage found now to induce the yielding than formerly. He comes also with the reputation of having granted, for peace sake, all that you, as unwilling to peace, have rigidly stood upon; although, when it is summed up, it will appear of very little advantage or security to public interest; and, by a trick or reserve that he has, of none at all, as before is shewed: however, with the people, he carries these and the like points of reputation before him, and wants not trumpets every where to blaze them sufficiently to his renown, and your own reproach. Under such banners of love and honour, he comes in the only true Father of his People, you being proved their cruel foster-fathers; he the Repairer of their Breaches which you had made; he the Restorer of their beloved Peace, Ease, and Freedoms, which you, as his creatures render it, had ravished or cheated them of thus long; he the Restorer of their Trade and Plenty too, which you had thus long obstructed; he, as a Conqueror in sufferings and patience, a Denyer of himself for the good of his people, and what not that is glorious and endearing. And thus would the people be lulled, and indeed cheated, into a security, as to any further apprehensions of evil from him, yea, possessed with acknowledgments and expectations of all their good from him, and their jealousies awakened, against you and your adherents only. And yet, to heighten the same more into perfect hatred, you (as wise, yea as honest men, for their safety and interest, though they see it not) must continue an Army and Garrison still; and that not the less, but much more for his coming in again, than if you had taken another course utterly to shut him out, as we shall shew anon; and so you will be necessitated, notwithstanding the Accommodation, to continue Taxes and Impositions for maintenance of that force, to the burden and grievance of the people, and the greater increase of their discontents and hate towards you: for if after this Accommodation, to ease and satisfy them, you shall ever disband your forces, while the king is at his liberty, and in his throne again, you give him his end or wished opportunity, in laying yourselves, your adherents, and the public interest, all level again with him and his, as if you had never prevailed, nor had any advantage over them; and so, for all your Satisfaction and Security, you are at the king's courtesy still; and, if he will break, you are but where you were at first, and the public interest nothing advantaged or secured by ought obtained or done in the war; but the king in the same, or much fairer possibility to revive the old quarrel, renew his force with greater advantage, and put you to fight it over again, or rather may carry it without fighting; since, after so much blood, and cost, and trouble for nothing, it is not like you will find a competent party for the opposing of him ready to engage again on the same terms; and if he gain any strength to appear for him, which who can doubt when your forces are disbanded, considering what a numerous party he has engaged to it in interest and necessity; some inclined to it by principles and temper, others in humour and discontent against the present government; the generality of the people (wearied with the former war, whereof they have found so great misery, and so little fruit) if they see a strength on his part threatening a new war, and none ready on your part to balance it, which might hold them at least in neutrality, will surely be more apt to join unanimously with him, or let him have what he will, that there may be no war, than join with you to maintain another war, to so much prejudice and so little purpose as they have found the former. And if, to appease the king and his enraged party, a sacrifice of those that opposed him in the former will serve the turn, the people, it is like, will be so far from sticking at that, as it is some question to whom it would be more acceptable, the king or them; the people, by the cavaliers clamorous and cunning suggestions, and the advantages you have given thereto, through the unsettled, endless, and fruitless ways of trouble you have held them in, being already pretty well possessed, and by that time like to be further persuaded against you, as if in all this war you had merely cozened them, so as you are like to have their hate no less, as for abusing them, than the king's for opposing him.—If to secure that little Advantage to Public Interest, which in the present way you will have gained, or rather to prevent a total loss of all thereupon, you continue a sufficient strength, and therewith Taxes and Impositions to maintain it; these, as they are always grievous to the people, so they will, after the Peace supposed to be settled, be so much the more discontenting, by how much they may be then deemed unnecessary; for the king, having in the terms of Accommodation, granted what yourselves did ask; and therein such supposed Security, as that you need not fear new troubles, though few will consider wherein that little security does lie; or at least (by his yielding as it were for peace sake, to all your demands) having given, in the people's apprehensions, such assurances of his love to peace, as that no danger of new war or trouble seems to be feared from him; in this case the continuance of forces and taxes will surely be thought no further needful for any public end; for, in common judgment, if war made soldiers needful, then surely peace must render them needless; and therefore it will be aptly thought, if yet soldiers be kept up, and taxes continued, it is surely either for the gain, or advantage, or some private design of those that continue them; and upon these grounds, with unwillingness and backwardness to pay taxes, and discontents at the burden of them, there must naturally grow up jealousies and heart-burnings against those that require them. These to foment and inflame to the height, and

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thereby to sweeten and endear the king with the people, will be his and the Cavaliers surest play; and otherwise to sit that while, if they have but the patience, as still as lambs. How colourable and plausible will it be for them to suggest, and how apt for the people to receive, That the king is no way to be blamed for any of those burdens; he, good man, has yielded to any thing, and done what he could, that there might be no need of them, and now he gives no consent to them, but the parliament does them without him, and have bound up and excluded him from his wonted negative voice therein, otherwise he would refuse and hinder them: but being not in power to help the people, he can only pity them in these Things; and now they may see what they gain by their parliaments, or how much it is to their common prejudice, as well as the king's, to have the king in any particular excluded from his Negative Voice, and the parliament free to proceed in aught without him. And thus easily may the people, from their common unwillingness to part with money, although for their real safety, be at once inflamed into a refusal and opposition therein; and deluded into a resentment of that which is the king's interest, as if it were their own, and so engaged with and for him and his party, as having one common cause with themselves. And if thus they be once heightened but into a resolved withholding of payments for the maintenance of that necessary strength you keep for the common safety and peace, you must then either give the king his end and advantage, as is before expressed, in dissolving your forces, or else use extraordinary ways of power and rigour towards the people, to enforce such necessary payments; this will still enrage them higher against you, and serve to endear and engage them more to the king and his interest, colourably in point of their liberties then, as well as their ease before; until at last the people, for both, being raised against you, and therein joining with, and being headed by, the King and his Party, whose interest so far seems one with theirs, you, unless you will give up all, must come to make a war against the poor deceived people for that which is really their own cause: and the king by the people, as it were for their proper liberties and interest, may make war against you, to the erecting of his own, and the overthrow of the common interest, both yours and theirs. For solution of which seeming riddle, much needs not to be said, since what you contend for is their general, fundamental, and perpetual Liberties; for the preservation whereof you will be forced to press upon them in particular matters, against their present ease and freedoms; and the people being ordinarily more affected with the latter, as more immediate and sensible, and less with the former, which are more remote and to them less intelligible, the king closing with them under pretence of the latter, which they can feel, may easily engage them to the prejudice of the former, which they hardly discern.—By what we have here said it may, by the way, appear how much it is for the king's interest and advantage, since he cannot carry all by force or war, to make a Peace on any terms, though in words never so much to the diminution of his power, if thereby he can but secure himself, and get into his seat again; and consequently we may the better guess how far conversion, or conviction, hath place in his present yielding to things he hath so often said and sworn he never would; and in his granting now, at the motion of his English parliament, what he hath so often denied at the pressing instance of both kingdoms: for having sufficient proof of your present forces, that they will neither be drawn to serve his turn themselves, nor easily suffer others that would; and having found, in the last summer's design, that it would not perfectly take with the body of the people, to cry down your Army, though with decrying of Taxes to boot, while no seeming Peace was settled; no, though with the cry for their Disbanding, they cried up Peace, and a Treaty in order to it: he therefore now sees he must clap up a Peace on what terms soever; and, that done, his way is clear. The Parliament then may easily and soon be put to it, to denude themselves of their strength in a Disbanding, and so set him even with themselves again; or else, if they refuse, the people may be wrought to undo all for him, whatever he hath granted, without his appearing to make any breach for his own interest. And as, upon this single Ground, many nations before us, by like Accommodations with their beaten tyrants, have, from the fairest attempts and hopes of liberty, fallen to an utter loss of it, yea to an absolute bondage, and been made the instruments thereof themselves; so by this one consideration, though there were no more, it may appear how easy it is for any Prince, and particularly for ours, after such an Accommodation made, and himself restored, to find or work out advantages, whereby to overthrow what he hath granted, raise his own interest higher, and depress the public lower than ever before: and yet we have touched but one of those many Advantages that, in such case, lie clear before him. We might reflect upon that of his numerous party, engaged by interest, necessity, and otherwise, to serve him so long as he remains in a possibility to head them; towards whom proceedings have been such, as have served to imbitter and enrage them unto, and yet not disable or discourage them from further attempts against you; and towards whom, by his continuing king, you will be the more necessitated to proceed still upon the same strain in both respects. We might mention also their great families and relations, and their interest or influences within the kingdom; and we might enlarge upon the consideration of the two other kingdoms he hath to work by, from which we have found such powerful parties ready to serve his interest; the one to make prize and advan-

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tage of this kingdom; the other at least to deliver themselves from your yoke, by helping to put his upon your and our necks: all which, if they were to be feared, when he hath been in no capacity to head them, as in the last Summer's War, then much more when he shall so be; and though they be much to be feared in relation to his heading of them, while he by his supposed impunity, whatever he does, hath encouragement to make all possible trial of them; and they hope, that if ever he prevail, he may make them amends, or procure their impunity at last; yet, that being once confuted by an example of Justice upon him for such attempts, they would not then be, in divine considerations, at all to be feared, or, in prudential considerations, not so much, in relation to his posterity's heading of them.—Besides these, we cannot but consider much more the vast possibilities, after his restitution, to make Parties, Factions, and Divisions amongst yourselves, and your now adherents; and to set one against another, to make one betray another, so by one to ruin another; and, by making use of all interests, to set up his own above all. Have not you found him at this play all along? And do not all men acknowledge him most exquisite at it? If he has had the faculty to avail much in this kind when at a distance from you, will he not much more when so near you, amongst you, in your bosoms and councils?—For Divisions, we speak it with depth of sadness, he needs not come to make any amongst you, but to use them; they abound wofully already; and for his opportunities of advantage by them, they are great beyond conception. 1. From the Jealousies which each party is apt to have of the others strengthening themselves, to the prejudice of the other, by conjunction with him and his; and which he and his creatures have a faculty to feed in each of them, it is more than probable that each party will be apt to strive which shall most and first comply with him: Have not you and we seen sad experiences of this already? Give us leave to be more affectionately sensible of this, as having had some experience of temptations towards it amongst ourselves: We say temptations towards it from the King and his Party, as strong and subtile as are imaginable, though we bless God, by whom we were preserved in our integrity, and not given up to, but delivered from, such wretched apostacy. And we can truly say, That although, (through the example of others, partly necessitating us for the present prevention of that mischief to the public they were running into in that kind, as we apprehended) we were drawn into some negative compliances, tending to moderation, which we thought to be, and in its place is, a real good; yet first, we never sought, but were sought unto; and notwithstanding all overtures and temptations, we did abhor the thought of, and still professedly refused any thing of conjunction with him or his, in relation to the affairs of that time, or aught of private contract or trust with them. 2. What we declared of Moderation was but hypothetical, with careful caution and a saving for the public interest according to our then understanding of it. And, 3. We aimed not at the strengthening of ourselves thereby, to the ruin of any persons or party opposed, nor did drive at any such end; but merely to prevent any such from strengthening themselves in that kind, as we feared, to the prejudice of the public; as may appear by the tenor of the City's Engagement, with the concomitants and consequents thereof, and by our carriage both in relation thereto, and since that danger was over: and yet, however, in that degree of compliance admitted in that kind, we find matter of acknowledgment before the lord, concerning our error, frailty, unbelief, and carnal councils therein, and we bless him that preserved us from worse: yet, on the other side give us leave to fear, (and we heartily wish, as to any honest soul, that it may be a causeless and mistaken fear) that from such private Jealousies, and the animosities or hate of one party against another, who once seemed to be engaged in one common cause against a common enemy, there have been on the part of others evil compliances, negative and positive; yea, we doubt, contracts and conjunctions too, by some sought, by others entertained with him and his party, (even while an acknowledged enemy) to the neglect or dispending of the common public interest, merely for the upholding or strengthening of their own, and the ruin of the party particularly opposed. —We cannot but be sensible of this, because we have felt the effects of it in the loss of many of our dear innocent friends lives, with the hazard of our own, in the last Summer's War: for even from this root, as we have more than conjectural grounds to understand, the Revolt in Wales had its rise and growth; the Scots Invasion had its foundation and invitation; the Revolt of the Ships; the Rebellion in Kent, Essex, &c. and the several Tumults, Risings, and Disturbances in and about London, and the Southern parts, had their instigation and encouragement; and, from the same, this miserable ensnaring Treaty, its conception and birth: and if from the divisions we have, such destructive compliances and conjunctions have been entertained with, and such advantages given to, him and his party, while professed and acknowledged enemies; what worse may we not expect of that kind, when, by a Peace made, they shall have the reputation of friends to give countenance and confidence thereunto? —To conclude this point, concerning his Advantages after Accommodation and Restitution, to overthrow or prejudice the public interest: we will confess our greatest fears are, from the consideration of the Act for this Parliament's unlimited Continuance; wherein, besides divisions amongst those that are, or profess to be, for the public, if he shall ever be able, by particular successions of new burgesses, according to the present constitution, or any other way,

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to form a prevailing or balancing party for his interest in the house of commons, which even there he seems to have bid fair for already, (for as to the Lords, we will move no question) we may then justly yield England's liberties for defunct, when that which should be the conservative, shall be turned indeed the bane; and yet, it being in the place and repute of the only conservative, we shall, through that act, be debarred from change of medicine, or use of other remedy; yea, from the renewing or taking fresh choice of medicine in the same kind, but must keep to that old mass, which such putrefraction will have rendered deadly, and will probably vitiate all particular additions of fresh ingredients that shall be made, while the old leaven shall remain predominant.—Neither can we see any possible help in the case after his Restitution, though you should be willing to lay down your power; for, indeed, to set a period to this parliament, and not therewith provide for a certain Succession of Parliaments, and the certainty of their sitting also, without dependence on the king's will, were to leave the kingdom without assurance of any remedy; or, at least, of power therein to help at all, and so in like condition as before this parliament: and to make provision for such a Succession, and certainty of sitting of future parliaments, without like provision for a more due constitution, by more equal elections; freed from such dependence on prerogative grants, or from being so subject to prerogative commands, as now by the number and nature of burgess-ships they stand, were to render the Succession less hopeful or safe, or at least subject to no less corruption in the same kind, than the constitution of the present is; and you having not in this Treaty propounded any provision for any of these things, which we dare boldly affirm are of the highest concernment to the vindication and preservation of public interest in the very fundamentals of it; if you go on to make a Peace upon such terms, as if this parliament were to continue for ever, and set the rest of all our hopes upon that basis, we may justly presume, that when a Peace is made, and the king restored, if afterwards you would come to considerations of laying down your power, and making such provisions for Succession, as is before expressed; the king, whose consent you still seem to make necessary to such things, though it is like he would readily consent to be rid of this parliament, so as to have no more but at his call for their meeting, and his will for their continuance; or perhaps so as to have no better provison for the one, or larger for the other, than the Triennial Bill; yet, as to full certainty in the one, or sufficient enlargement in the other, without relation to his will; and much less as to the taking away of Burgess-ships dependent on his grant, and subject to his and his great men's command; and the reducing of Elections to full equality and freedom: we say, on such terms we may well presume, from the reason and nature of the king's interest, he will not willingly, when after Peace made he needs not, give up his hopes of or against this parliament; but rather than he will make, or bring upon himself and posterity, such an entail of parliaments as he can never hope to avoid, and those to be so independent on his will for their meeting or sitting as he can never hope to avoid, and constituted so equally according to the interest of the people, as he can never hope, or cannot design how, to pack to his own, he will prefer and stand to his fairer hopes of making his party good with this parliament one way or other, viz. either in and by it, by making a party in it as before expressed, or else against it, by making use of discontents and impatience in the people towards it, and of divisions within itself, at last to destroy and overthrow it; and so to deliver his crown, once for all, from Wardship, as he counts it, to parliamentary power; which, by the other conditions might have been perpetual: and if, either in the one kind or the other, he prevail upon this parliament, his monarchy and our slavery will be absolute, and probably for ever; in the one, by seeming authority of parliament made immortally the same; in the other, by the utter extinction of it.—But to proceed from Probabilities of Danger, to shew the certain Insecurity and perpetual Prejudice to Public Interest, that an Accommodation with him, and Restitution of him, in the present case does imply: suppose the best constitutions and strictest laws imaginable in any state, yet their insufficiency and impotency, as to the preserving of public interest, without a power to punish those that violate it and them; or where persons in power to prejudice the same, especially if in fixt and lasting power, shall stand privileged from being punishable, whatever they do, is obvious to each considering man; the power of punishment, and the having of it in the most trusty hands, and no particular persons to be exempt from their justice, being that essential part of public interest, which is the fence and guard of all the rest in the depraved state of mankind: now, in our present case, after so many, so great and lasting violations thereof, committed by the king, and by his procurement; and after his so long and obstinate maintenance thereof, and persistence therein, and so many refusals of that poor Satisfaction and Security you now desire, in so much as you once resolved against any more Addresses; we say, after all this for you, the Supreme Judicatory of the Kingdom, when he is, through the just Hand of God, in your power to do justice upon, yet still to decline that way; and, instead thereof, to seek again to him your prisoner in the way of Treaty, to receive what Satisfaction and Security you can get as concessions from him; and thereupon, having only some few instruments submitted to Justice, and that by his concession too, to re-admit himself to the throne with safety, freedom, and honour; what can this be understood to speak less than that, as himself

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and his party for him have still expressly assumed, and as the pretence and ways of your proceedings towards him heretofore have too much implied, he is indeed above any human Justice, and not accountable to, or punishable by any power on earth, whatever he does; and so, besides the bar to any present proceeding of Justice against himself, whose one example in that kind made, and not afterwards made ineffectual again, as others of that kind have been, by the flattery or degeneration of succeeding ages, would be of more terror and avail than the execution of his whole party; yea, than all the Satisfaction and Security, verbal or literal, that you can obtain or imagine without it: you would also, by such Exemption of him, and in such a case, proclaim the like perpetual Exemption to him and his posterity, whatever they shall do, or in whatever case, since none can be imagined more pregnant or ripe for Justice than this already is; and would therein give the most authentic testimony and seal that ever was, to all these destructive Court Maxims concerning the absolute Impunity of Kings, their accountableness to none on earth, and that they cannot err, do Wrong, &c. which principles, in the sense to which they are applied, as they were begot by the blasphemous arrogancy of tyrants upon servile parasites, and fostered only by slavish or ignorant people, and remain in our law-books as heir-looms only of the Conquest; so they serve for nothing but to establish that which begot them, Tyranny; and to give kings, (who, so far as they claim otherwise than by Conquest, are but ministers intrusted for righteousness and peace) the highest privilege, encouragement, and invitation to do wrong and make war, even upon their own people, as their corrupt wills or lusts shall prompt them. If therefore our kings claim by right of conquest, God hath given you the same against them; and more righteous, by how much that, on their parts, was extended to a forcible dominion over the people, which originally or naturally they had not; and ours but to a deliverance from that bondage, into that state of Right and Freedom which was naturally and morally due to us before: if they claim from immediate Divine Designation, let them shew it: if from neither, but as by consent intrusted by and for the people, let them then embrace and partake the conditions of such; and not, as if the whole people were made only for them, and to serve their lusts; or had, if not their being, yet, all their civil endowments by and from them.—But to return to our purpose: If you, by such proceedings as you are about towards the king in the present case, shall confirm and harden him and his posterity in their assumed Privileges of Impunity, &c. whatever is or shall be done by them, what new agreement, or other bond of man's framing, can you suppose to hold them, and especially himself that has broke the strongest of that kind already; and we appeal to your consciences upon the Reasons before given, what inward change you find in him, to be trusted, but that he and they, upon the same confidence of Impunity to themselves, whatever they do, or however they succeed, will still be ready to take all advantages, and try all means, so long as they can find any instruments that will serve them, to set up their own interest, to the prejudice of the public, as heretofore; and especially to avenge or vindicate themselves and it against the supposed wrong of enforced concessions? —And why shall we not think they will find instruments still to venture for them, notwithstanding your punishing of some in that kind, since while your own proceedings admit themselves unpunishable? such instruments may hope that, at the worst of success, they will save all, or most of them, as now; and, themselves still surviving to renew the quarrel, it may well be hoped, that if ever they prevail, the instruments that shall survive, and heirs of the rest, will be repaired with honour to boot; so that the adventure of each Instrument in that kind, being but as of one amongst a multitude, where the most are sure to escape, is of far less hazard than a soldier's venture in a field battle; and the hazard that is, especially to necessitous or ambitious men, is abundantly recompenced by those hopes which the certain Impunity, besides probable advantages, of their head does give. We are sure that, as to any Instruments venturing again for you and the public, the hazard is infinitely greater; and, in human considerations, no encouragements comparable to those which, after all your Proposition-Justice against his Instruments, will yet, upon this ground, remain to them for any further Engagements in behalf of their great and unpunishable master. And therefore, as in all cases of like rebellions or civil wars, the prudence of most nations and ages, as well as the justice of the thing, has led to fix the exemplary punishment, first upon the capital leader, and upon others as nearest to him, and not to punish the inferiors and exempt the chief; so in this your case it is most clear, that to fix your justice first upon the head, and thereby let his successors see what themselves may expect, if they attempt the like, may hopefully discourage them from heading any more what instruments they might find in the like quarrel; and so is like to be a real Security, when such Instruments cannot find an head: but to punish only Instruments, and let the head, by whose power, and in whose interest, all has been done, not only go free, but stand in perpetual privilege and impunity to head such Instruments again, as oft as he can find opportunity, and get any to serve him, is a way so far from security, as it leads indeed to endless trouble and hazard, or the perfect loss of all. And besides, in point of Justice, with what conscience inferior ministers can be punished, and the principal set free, yea, restored to dignity and honour, for whose only interest, in whose only quarrel, and by whose commissions and commands, they have acted, which they might perhaps conceive to oblige,

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or at least to excuse them, for our parts, since we have seriously weighed it, we cannot understand: we are sure it seems a most unequal and partial way of justice, suitable to those aforesaid corrupt or abused Court Maxims, whereon alone it has been grounded; as, That the king can do no Wrong, &c. And indeed, whatever Grounds or Reasons can be imagined to exempt kings from human Justice, or to excuse them when they wilfully give commissions and commands unto their inferior ministers to do evil, (which we are sure can be no less than something of Divinity, and absolute Independency, as to men, supposed to be in them) the same principles, if admitted and fully weighed, would equally extend to absolve and indemnify those ministers for what they do in pursuance of such Commission and Commands; yea, and bring those under condemnation too that should forcibly oppose him or them therein. We would at least fain hear one principle sufficient for the one, which would not, by rational deduction, extend to both the other. And if there be none such, then we beseech you consider, whether your re-admission of the king, in the present case and manner, without so much as his subjecting to Judgment or Trial, will not be so far from Security, as that it will not only enervate the best fence of public interest, the power of punishing violators of it, but, in consequence, shake the foundations of all you have done in the war, and overturn or invalidate all you seem to obtain in the peace. —Upon this, and the rest of the considerations aforegoing, we crave leave to believe that an Accommodation with the King, in the way and terms you are upon, or any at all, as the case now stands, that shall imply his Restitution, or shall not provide for his subjection to Trial and Judgment, would, 1. Not be just before God or man, nor hopefully good; but many ways evil, and so not desirable by any honest heart that well considers it. 2. Would not be safe, but full of hazard and danger; yea, certain prejudice, disadvantage, and destruction, both to the public interest in question, and to the persons that have engaged for it, except such as, by base apostacy from it, and treacherous services for the king against it, have, or shall have, emerited their pardons. And, 3. If in another way or case it possibly could be safe, which we see not, yet in the present Treaty and condition the king is in, it cannot.—Now if any observe and object, That the Grounds aforegoing, upon which we conclude thus, would extend as well against any Accommodation with him since his person came into the parliament's power, or at least against any Restitution of him thereupon, without his first submitting to Judgment, and a change of heart and principles; and consequently would have served as well against that Accommodation with him, and Restitution of him, which the Army seemed once to plead for; we shall confess it as to the main, and we, have only this to say, 1st, That your whole pretence and way of proceeding towards him before, and at that time; the state you have kept him in; your particular Engagement to the kingdom of Scotland for another Address to him; and your preparation towards the same at that time, had wholly led us on in the supposition of an Accommodation to be still endeavoured with him, and to that supposition only our then overtures to you were framed; and you had not then, as since, by your Votes of No farther Andresses, and your Reasons for them, cleared our judgments from that former mist, and led us out to the thoughts of other ways of Security against him; nor had pointed towards the way, as thereupon you have done, in taking off his state, and close imprisoning his person. And we confess that, since our thoughts have been thus set free, and led out that way, besides the good Reasons you gave, and what they further discovered or implied, and besides what other pens have enlarged thereupon, the more we our selves have considered, the more and further it hath pleased God to let us see beyond what we did before: so that your bare retracting of Votes, or changing your course, without better or any Reasons given, cannot put out the light which your former Votes with Reasons have let in, and God hath given his seal and increase unto. 2dly, Your then councils, and, with them, our thoughts, being so fixed upon that way of Addresses to him, we thought it lawful for us to tender to your consideration some things to be provided for therein, which were of highest and most fundamental concernment to the public interest, and not thought or not touched on in your former Addresses or then preparations; as, concerning the Succession, Constitution, and clearing the Power of Parliaments in future, &c. which accordingly we propounded to be taken in with most of your former Propositions; and whatever we expressed exclusively, as our private opinions at that time, yet our whole overtures being but as Proposals to you, and not immediately to the king, it was far from our intentions, as it was apparently from our practice, to prejudge or preclude your councils from any further or better provision for the public interest, or in any surer or better way. 3dly, Since you had so far engaged in the way of Addresses, we had some apprehensions then, as from the Covenant and other considerations, that, to acquit yourselves and adherents before God and the world, in relation to the snare you seemed to be in, it did something lie upon you to make one Address for all, upon things concerning purely the public interest, and only essentials thereunto, without mixture of any bye matters; from which either you, with safety to the public, could possibly recede, or against which he might have colour to boggle, as it were, from conscience or other specious pretences, and not his own interest only; that so you might at once make a full and clear trial whether you could, with and by his consent, have such security to the public interest, as that you might, with the preservation and

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safety thereof, preserve also his person and honour, as in your Covenant; or whether he would refuse that Security to public interest, merely for the upholding of his own in opposition thereto, without other cavils, pretexts, or evasions: and accordingly though, we may truly say, we never pressed you so far in point of Address to him, as that you did ever actually make any, at our instance, or according to our overtures; yet, after that he had escaped from the Army, and quitted any pretext of obligation upon it, in relation to their desire of any such Address, you did of yourselves make such an address, in the tender only of four Bills, concerning singly the public interest, and but a small part of it, merely for necessary Security to it and yourselves, in order to a Treaty for all the rest; in which tender of yours we found clear satisfaction in our reasons and consciences, as to our aforesaid scrupulous apprehensions: and answerably (when you, upon his refusal, resolved against any more Addresses to him, and began to take another course with him) we did upon that very Ground declare our acquiescence in your Votes, and our resolutions of adherence to you therein, as may appear in the Paper then presented to you from the Army: and yet when we have said all this, or whatever might more be said in our excuse, we will, upon the Grounds here before laid down, which have since been more clearly made out to us, acknowledge it our weakness, our error, and our fault, both as to the matter and terms we propounded for an Address to him, in respect of deficiency or insufficiency therein; and also as to our desire of any such Address at all, as the case then stood, in respect of the needlessness and insecurity thereof, and want of justice therein; although we see and own the providence of God, who ordered it for the best, that you did make such a one.—Now, if yet any shall object the Covenant, as perpetually obliging to endeavour the preservation of the king's person and authority; and consequently not allowing any such way of Security against him, as would be to the hurt of his person, or prejudice of his authority; and so concluding us under a necessity of perpetual Addresses to him for security, until he give it, as being the only way consistent with the preservation of his person and authority: to this we answer, That indeed the Covenant, heaping together several distinct interests, which are, or possibly may come to be, inconsistent, or one destructive to the other, or at least may be so made use of; and yet engaging positively for them all, without expressing clearly and unquestionably which is chief and perpetual; and for the rest, how far, and upon what conditions the Covenanter shall be obliged to them, and what shall disoblige him, we find it is, as other promissory Oaths of that kind, apt to be made a very snare; serving to draw in many of several judgments and affections, each in respect to that interest therein engaged for, which himself does most affect; and so those that make least conscience of the oath, make but an advantage of it upon all occasions, to cry up that interest which themselves prefer, though to the destruction and prejudice of the rest, yea of that which is really the main and best; while those that make most conscience of the Oath, and affect the principal and honestest part in it, are often with-held from what is just and necessary in relation thereunto, being staggered in regard to the prejudice it may be to the rest, to which jointly they seem obliged. But this Covenant, as it is drawn, though it have something of that ensnaring nature, yet, as to this point, has not left the takers without an honest way out; or if it had, yet, through the Providence of God, the snare is broken, and they may escape.—For, *First,* The Covenant engaging to the matters of Religion and Public Interest, primarily and absolutely, without any limitation; and, after that, to the Preservation of the King's Person and Authority; but with this restriction, viz. 'In the 'preservation of the true Religion and Liber-'ties of the kingdoms.' In this case, though a Cavalier might make it a question, yet who will not rationally resolve it, That the preceding matters of Religion and the Public Interest are to be understood as the principal and supreme matters engaged for, and that of the king's Person and Authority as inferior and subordinate to the other? And if so, then we appeal to all reasonable men, whether those words, 'in the Preservation of the true Reli-'gion and Liberties,' can be understood as a restriction of our endeavours for preservation of Religion and Liberties, so as the same may not be endeavoured in any way that would be to the prejudice of his Person or Authority; or not, surely, as a restriction to the Engagement for preservation of his Person and Authority, so as to oblige thereto no further, nor in any other way, than shall be consistent with the preservation and defence of the true Religion and Liberties of the kingdoms? Yea, might it not justly be so understood, that the obligation to preserve his Person and Authority, should be fulfilled in (as well as not extended further than) the Preservation of Religion and Liberties? In some of these senses those words must be understood, or else they have none; but are vain words, making a vain Oath. If they were to be understood in the first sense, then, we are sure, the whole proceedings of both kingdoms, in making and maintaining war against him for Preservation either of Religion or Liberties, were questionable for breach of the Covenant; since that way of preserving them did tend probably to the destruction, and was without any safe provision for the defence either of his Person, or of that authority that can properly be called his, or understood in conjunction with his person; but that therein his person might probably have been destroyed under the sword, or by a bullet; yea, was ordinarily endeavoured to be so, as well as the persons of others in arms with him; and that authority of his was certainly opposed and

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endeavoured to be destroyed thereby, instead of being defended.—If these words be to be understood in either of the latter senses, then it follows, 1. That if, by reason or experience, the ordinary lights men are in human things to walk by, we find that the making of Peace with him, and therein the preserving or restoring of his Person or Authority, is, as the case happens, either an unrighteous thing (in respect of the blood and spoil he hath caused in opposing that Covenant ever since it was made and tendered; and of his never coming in or ceasing that mischief, till by force reduced, and by the hand of God delivered into the power of your justice) and, in these and other respects, not consistent with true religion; or else that no inward conviction, remorse, or change of heart and principles rationally appearing in him, it be not safe, but full of visible danger, if not certainly destructive, to religious or public interest, or to the persons that have entered into that Covenant, or engaged in the common cause; then surely, by the Covenant itself, the preservation of his Person and Authority is not to be endeavoured so far, or such a way; and consequently such a Peace with him, in such a case, is not to be sought or admitted, or at least the Covenant obligeth not to it, but against it; and whether the present case and consequences be not such, we refer to our several Reasons before given. 2. From that sense it also follows, that if, by the same light we find that, supposing no Peace to be made with him, the continued preservation of his Person in your hands, though close in Carisbrooke-Castle, or the letting him go whither he will to preserve himself, and your forbearing to bring him to account or Judgment for ought he has done, (when God has so given him into your power, and given you so clear Grounds of proceeding against him) would be either an unrighteous thing, and so inconsistent with true Religion; or so far inconsistent with the Preservation and Defence of Religion and liberties, or with your covenanted utmost endeavour to preserve them, as that it would visibly expose them, and those that have engaged in Covenant for them, to perpetual danger; give perpetual occasion and advantage for new wars and designs, to the destruction of them, or to the multiplying of blood and oppression upon the kingdoms; give the king and his posterity a perpetual privilege of impunity, and therein an invitation or encouragement to multiply attempts of the like or greater mischief, though to the overthrow of all Religion and Liberties; yea, would give encouragement also to instruments to serve them in such attempts; and thus would harden the hearts both of them and their instruments in such things, to the ruin and perpetual prejudice and danger of those higher things covenanted for, and persons covenanting; and, lastly, would in consequence debar you from that which is the best fence, yea, essential to the defence of Public Liberties, and positively covenanted so, viz. the punishment of any the violaters thereof, if his ministers, and by his commission; or would render your necessary proceeding against such, unequal or scandalous; then surely to the exempting of him from Justice, and a continued preservation of his Person, so far, or in such a way, and in such a case, the Covenant cannot be understood to oblige, but rather to the contrary: or, if it might be so understood, doth it not call for explanation to clear it from being understood in so wicked a sense? yea, if it did, by the advantage of words, extend to such a sense past explanation; and if so, through error, inconsideration, or deceit in the framing of it; or through flattery, evil custom, or unbelief and carnal policy in the passing of it, you had literally engaged yourselves, and drawn in others to be engaged unto so wicked and mischievous a thing, did it not call for repentance when you find such wickedness in it? and rather than unnecessarily to continue yourselves, and hold others, under but a colour of obligation to a thing so evil, so full of prejudice and danger unto, and so inconsistent with, the Security of so many other unquestionably good things; to which in the same Covenant, as well as by immutable duty, you stand obliged, would it not call for your utmost consideration and endeavour, so far as providence has left you any occasion, without sin or wrong, to extricate and clear yourselves and others from such a snare?—In order to which we proceed and say, *Secondly*, That whatever, or how expressly soever, the Covenant may seem to have engaged unto, or possibly might have said or purported any thing in the king's behalf, or to his only benefit, yet, as God has ordered the business, it does not now oblige you at all before God or man, in that matter. For, 1. Considering it only as a Covenant betwixt man and man, as for the civil parts, it is, where many or several persons joining to make a mutual covenant or agreement, do therein covenant for some things to the good and union of themselves amongst themselves, who are present and parties to it; and, withal, do make a covenanting clause therein for something else to the good or benefit of another person, not present, nor party to the agreement; but whom and whose interest, in regard of some concernment of his in their business, or from good affection to him and desire of Peace with him, they would willingly provide for as well as for their own, to the end he might join with them in the Agreement, and partake the benefit thereof as well as themselves; we say, in such case, if the absent party, as he never required it, so when it is tendered to him for his conjunction, shall not accept the agreement, but refuse to join it; and, conceiving his interest prejudiced thereby, shall oppose it, and begin, prosecute, and multiply contests with all the Covenanters about the matters contained in it; surely that person in so doing, as he keeps himself free and no way obliged thereby, as to what concerns the rest, who concluded it of their own heads, so he excludes himself

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from any claim to any benefit therefrom at their hands as to what concerns himself, while he continues so refusing and opposing; and by his once refusing upon a fair and full tender, though he had done no worse, sets the other Covenanters free from any further obligation, by virtue of that Covenant, as to what concerns his interest or benefit therein, although the Covenant, as to other matters concerning the right and benefit of the Covenanters one from another, stands still obliging and in Force; and whatever they shall afterwards do to him, though indeed contrary to the letter or intention of such clause in their Covenant on his behalf, yet it cannot, by virtue of that Covenant, be understood as a wrong to him; and, consequently, not a wrong to any other, before God or man, since none but he, though it had been made or accepted as mutual, could challenge the benefit of it. Now whether this be not your case in relation to the King in this Covenant, witness your making and taking of it without and against his consent; witness his oft and continued refusals to accept or join in it; his opposing and fighting against yourselves and others, both in and for the taking and prosecuting of it; and as for the intention of putting that clause concerning him into the Covenant, though made in his absence, and without his consent, it cannot, by the general nature of such Covenants, be understood to be that by it yourselves should be obliged to that of his interest absolutely, whether he would accept or join in the Covenant, or refuse and oppose it; but only to exhibit your care, and shew how willing you were, really to go as far as you could therein, that he and his interest, so far as just, might be provided for therein as well as your own and the kingdom's; and that you had no design to exclude or prejudice his, if he would accept and join in the Agreement as to the other; and even so the words added to, and closing up that clause in the Covenant do import, viz. 'That the world may bear witness 'with our consciences, of our loyalty, and that 'we have no thoughts or intentions to diminish 'his majesty's just power and greatness.' 2. Considering it as an Oath, the form of an oath added to that of a Covenant, makes it no other than a Covenant still, but taken as in the presence of God, and only adds the calling of God to witness, as to the truth of your intentions and faithfulness of your endeavours to perform what it, as a Covenant, obligeth unto; and look how far it, in the nature of a Covenant, as to any particular matter obligeth: so far, and no further or otherwise, doth that calling of God to witness engage him the more to avenge any falsehood in your intentions, or unfaithfulness in your endeavours to perform it. And this is all the enforcement which that Form of an Oath addeth to that of a Covenant, without obliging to any further matter, or for any longer or more absolute continuance than it, as a Covenant doth oblige; and therefore wherein, and upon what supposition soever, the obligation ceaseth as a Covenant, that enforcement also ceaseth as an Oath; so that if, as a Covenant, it oblige not to his benefit, upon supposition of his refusal or opposal, upon the same, it inforceth nought to his benefit as an oath. If any object, That in what we have here said we, who profess to dislike the imposing of the Covenant with any penalty or prosecution against refusers, do seem to take advantage against his majesty for refusals; we answer, We say not for, but upon; and if no other penalty be ever put upon Covenant Refusers, save not to claim benefit by it, we shall ever acknowledge that to be most just and reasonable against ourselves, if refusers.—Having thus endeavoured to remonstrate the Danger and Evil of the way you are in, and cleared the way unto what we have to propose, we shall, with the same plainness and faithfulness, give you our apprehensions of the Remedies; for which purpose upon all the reasons and considerations aforegoing, we proceed to offer as followeth. *First.* We conceive and hope that, from what hath before been said, you may find abundant cause to forbear any further proceeding in this evil and most dangerous Treaty, and to return to your former Grounds in the Votes of Non-addresses, and thereupon proceed to the settling and securing of the kingdom without and against the king, upon such foundations as hereafter are tendered; but if, notwithstanding all the Evils and Dangers remonstrated to lie even in the Treaty itself, you will yet proceed in such an evil way, we shall at least desire that you make sure to avoid that main venom and mischief attending it, viz. The King's Restitution with impunity, &c. and that imperfect bargaining for partial justice against inferior offenders; and for the avoidance of these we propound, 1. That you would reject those Demands of the King, sent to you on his and his party's behalf, and especially in relation to that concerning his Restitution or Return to London with Freedom, &c. that it may be expressly declared and provided by you, that, notwithstanding any thing concluded or to be concluded in this Treaty, the Person of the King may and shall be proceeded against in a way of Justice, for the blood spilt, and the other evils and mischiefs done by him, or by his commission, command, or procurement: and, in order thereto, that he be kept in safe custody as formerly. 2. That for other Delinquents you would lay aside that particular bargaining Proposition, which as we understand, the king hath refused in the terms you offered; and whereby all your justice and mercy too would be rendered, both for the matter, qualifications, and circumstances thereof, to be dependent upon particular contract with and grant from the king, and not upon the judicial power of the kingdom in parliament; and that instead thereof it may be declared and provided by you, that all Delinquents shall subject and submit to the aforesaid judicial power, to be thereby proceeded

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against according to justice, or with mercy, as cause shall appear, and that none shall be exempt or protected therefrom, nor pardonable by any other power than that of the kingdom in parliament, by which they shall be judged. This we propound, to the end that public justice and the interest of the kingdom therein, may be vindicated, salved, and satisfied; and yet, when that is so provided for, and in some fittest examples of justice upon chief offenders shall be effectuated, we wish as much mercy and moderation to the generality, upon their submission, as formerly we have both desired and used, or as can consist with the public interest and safety, and with competent satisfaction to those that have engaged and suffered for it. If, in relation to the former of these provisions, viz. concerning the Person of the King, it be thought an unreasonable or unbeseeming Demand in a Personal Treaty, that one party, after concessions to the other in all the matters of right, and other things in question, should agree, besides, to be punished himself for having made the past contest about them; we confess it might be thought so in a Treaty betwixt parties standing both free, and in an equal balance of power or possibilities to obtain the cause; but so far as a Treaty can rationally or properly be with a party wholly subdued, captivated, and imprisoned, or in the power of the other, to such a treaty such Demands, if otherwise just, are very suitable and proportionable; and, in any Treaty, it seems surely no less suitable to demand the principal to justice than the accessaries, that were but his necessary and proper agents in the contest, especially where he is as much, if not more, within the other party's power as they, and where it is not so much a demanding him to justice, as a proviso that, being already in the power of their justice, they will not exempt him from it.—Thus, therefore, the power of Justice and Mercy being saved or reserved: we proceed in order to the actual dispensing thereof, in relation to the late Wars; and, thereby, to peace with God, and present quiet amongst men, to propound as followeth: 1. That the capital and grand author of our troubles, the Person of the King, by whose commissions, commands, or procurement, and in whose behalf, and for whose interest only, of will and power, all our wars and troubles have been, with all the miseries attending them, may be speedily brought to Justice for the treason, blood, and mischief he is therein guilty of. 2. That a timely and peremptory day may be set for the Prince of Wales and the duke of York to come in and render themselves; by which time, if they do not, that then they may be immediately declared incapable of any government or trust in this kingdom, or the dominions thereunto belonging, or of any kind of right within the same; and thence to stand exiled for ever, as enemies and traitors to die without mercy, if ever after found and taken therein; or if by the time limited, they, or either of them, do render themselves, that then the Prince for his capital delinquency, being in appearance next unto his father's, may either be proceeded against in Justice, or remitted, according as upon his appearance he shall give satisfaction or not, concerning his being drawn into the rebellious Engagements he has appeared to head. And the Duke, as he shall give satisfaction or not concerning his carriage in and since his going out of the kingdom, being without leave, and in opposition or contempt of the parliament, and to the prejudice of the public peace, may accordingly be considered as to future trust, or not: but, however, that the Estate and Revenue of the Crown may be sequestered, and all the matter of costly pomp or state suspended for a good number of years, while the desolations and spoils of the poor people made, by and in behalf of that family, and for that vain interest, the state and greatness thereof, may be in good measure repaired or recovered; and that the Revenue, saving necessary allowances for the Children's maintenance, and to old servants and creditors of the crown, not Delinquents, and also the 100,000*l.* per Annum, voted to the Crown in lieu of the Court of Wards, may, for those years, be disposed towards public Charges, Debts, and Damages; for the easing and lessening of the people's contributions towards the same; so as the Estates, neither of the friends to the public interest, nor alone of the inferior enemies thereto, may bear wholly the burden of that loss and charge, which, by and for that family, the kingdom or the good people thereof have been, or, for future Security, shall be put unto. 3. That, for further satisfaction to Public Justice, capital Punishment may be speedily executed upon a competent number of his chief Instruments also, both in the former and latter war; and, for that purpose, that some such, of both sorts, may be pitched upon to be made examples of Justice in that kind, as are really in your hands or reach, so as their exception from Pardon may not be a mockery of Justice in the face of God and men. 4. That exemplary Justice being done in capital punishment upon the principal author and some prime instruments of our late wars, and thereby the blood thereof expiated, and others deterred from future attempts of the like in either capacity, the rest of the Delinquents, English, in relation to the wars, may, upon their submission and rendering themselves to justice, have mercy extended to them for their lives; and that only fines may be set upon them, with reasonable moderation, but with respect to public damages, and their persons further censured, and declared to be incapable of any office or place of power or public trust in the kingdom; or of having any voice in elections thereto, at least for a competent number of years; that also a short and peremptory day may be set, by which time all such Delinquents may have final warning to come in and render themselves to Justice, and to tender their submissions to

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such fines and censures as aforesaid; and that such of them as shall so do by the day assigned, and shall, withal, pay in or secure their fine, according to reasonable time given, may have their Sequestrations taken off, and be restored to their Estates; and that to all such, as also to all those that have already submitted to Fines or Compositions, and paid in or secured the same, a general Pardon may be granted, made, and published by parliament, extending to absolve them from any further censure, damage, trouble, or question, either in the behalf of the public, or at the suit of any private person, for any thing said or done in prosecution of, or in relation to, the late War or Troubles; and to restore them to all privileges, benefits, and immunities equally with other people, excepting only the capacity to places of power or public trust, or to voices in election thereunto as aforesaid; that so they may not, as heretofore, after fines or compositions to the state for their delinquency, remain subject to any man's action for any particular act of their delinquency, to their endless trouble or undoing, or the driving of them to desperate ways of public disturbance for their own preservation; but that such of them as will, for future, live in peace and subjection to the laws and government of the nation, may enjoy the benefit thereof, and have quiet and protection under the same; and their posterities, yea, or themselves in time, partake fully and equally with others of the common interest contended for, and obtained. But as for such Delinquents, who, having mercy tendered to them for life, as aforesaid, shall not, by the day to be set, come in and render themselves, submit, and pay, or secure their Fines as aforesaid, that it be declared their Estates shall from that day be absolutely confiscated, and sold or disposed of wholly to the public use; and their persons to stand perpetually exiled as enemies and traitors, and to die without mercy, if ever after found and taken within the kingdom, or the dominions thereto belonging; and upon their default of appearance, &c. as before, or at the said day, that they be from thenceforth proceeded against accordingly. 5. That the Satisfaction of Arrears to the Soldiery, with other public debts, and the competent reparation of public damages, especially and primarily of such as voluntarily engaged for, and have constantly adhered to, the common cause, and suffered for the same, may be put into some orderly and equal, or proportionable way; wherein, as to Debts and Damages, care may be taken for some precedency of satisfaction to such whose loans or losses appear to have been great, and livelihoods small, so as they can worst bear the want or delay. And towards these things, not impairing any other security already given for Arrears to the Soldiery, in an equal way, or for just Debts of other Kinds, we propound, That the Fines or Compositions of Delinquents may be disposed of, and employed to those uses only, as also the confiscations and proceed of their Estates who shall be excluded from Pardon, or not come in by the day to be assigned, as in the last precedent Article.—Now, after public Justice, and therewith the present quieting of the kingdom thus far provided for, we proceed in order to the general Satisfaction and Settling of the Kingdom as followeth: 1. That you would set some reasonable and certain period to your own power, by which time that great and supreme trust reposed in you shall be returned into the hands of the people, for and from whom you received it, that so you may give them satisfaction and assurance, that what you have contended for, against the king, for which they have been put to so much trouble, cost, and loss of blood, hath been only for their liberties and common interest, and not for your own personal interest or power. 2. That, with a period to this parliament, to be assigned as short as may be with safety to the kingdom and public interest thereof, there may be a sound Settlement of the Peace and future Government of the kingdom, upon grounds of common right, freedom, and safety, to the effect here following: *First*, That, from the end of this, there may be a certain Succession of future Parliaments, annual or biennial, with secure provision: 1. For the certainty of their meeting, sitting, and ending. 2. For the equal distribution of Elections thereunto, to render the house of commons, as near as may be, an equal representative of the whole people electing. 3. For the certainty of the people's meeting, according to such distributions, to elect, and for their full freedom in Elections: provided, That none who have engaged, or shall engage, in war, against the Right of the parliament, and Interest of the kingdom therein, or have adhered to the enemies thereof, may be capable of electing, or being elected, at least during a competent number of years, nor any other who shall oppose, or not join in agreement to this Settlement. 4. For future clearing and ascertaining the power of the said Representatives; in order to which, that it be declared, That, as to the whole interest of the people of England, such representatives have, and shall have, the Supreme Power and Trust as to the making of laws, constitutions, and offices, for the ordering, preservation, and government of the whole; and as to the altering, repealing, or abolishing of the same, the making of war or Peace; and as to the highest and final judgment in all civil things, without further appeal to any created standing power; and that all the people of this nation, and all officers of justice, and ministers of state, as such, shall in all such things be accountable and subject thereunto, and bound and concluded thereby: Provided that, 1. They may not censure or question any man after the end of this parliament, for any thing said or done in reference to the late Wars, or public differences, saving in execution of such determinations of this parliament, as shall be left in

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force at the ending thereof, in relation to such as have served the king against the parliament. 2. They may not render up, or give, or take away, any the foundations of common Right, Liberty, or Safety contained in this Settlement and Agreement; but that the power of these two things last mentioned shall be always understood to be reserved from, and not entrusted to, the said representatives. 5. For Liberty of entering Dissents in the said Representatives: That, in case of corruption or abuse in these matters of highest trust, the people may be in capacity to know who are free thereof, and who guilty; to the end only they may avoid the further trusting of such; but without further penalty to any for their free judgments there.—*Secondly*, That no King be hereafter admitted, but upon the election of, and as upon trust from the people, by such their representatives; nor without first disclaiming and disavowing all pretence to a negative voice, against the determinations of the said representatives or commons in parliament; and that to be done in some certain Form, more clear than heretofore in the Coronation Oath.—These matters of general Settlement, viz. That concerning a Period to this Parliament, and the other particulars thence following hitherto, we propound to be declared and provided by this parliament, or by authority of the commons therein, and to be further established by a general Contract or Agreement of the People, with their subscriptions thereunto; and that, withal, it may be provided, That none may be capable of any benefit by the Agreement, who shall not consent and subscribe thereunto; nor any king be admitted to the crown, or other person to any office or place of public trust, without express accord and subscription to the same.—We have thus plainly and faithfully propounded our Apprehensions, how the Evil and Danger of the present Treaty may in good measure be avoided, and our farther conceptions of a way, wherein hopefully, through the blessing of God, if most men be not given up, some to unjust domination or particular interest, the rest to servitude, the kingdom may be quieted, future disturbances prevented, the common Rights and Liberties provided for, and the Peace and Government of the Kingdom settled to a just public interest; and this we have set forth in such Heads and Particulars, which, if you will but set aside, for the time, less important matters, may most of them be brought to effect, and the rest assured and put into a good way of effect within a few months; so as you might then ease the kingdom from the burden of the greatest part of that force, which otherwise, in case of Accommodation with the King, you will be necessitated for a much longer time, probably for many years, to keep on upon the public charge, unless, upon the Accommodation, you would give up all to the king's power again, and expose those that have engaged against him, as sacrifices to his and the Cavaliers revenge: and, for our parts, let but that way of Justice be effectually prosecuted, and the settlement of the Public Interest, upon such foundations as are afore propounded, be assured to us and the kingdom, and put into a course of effect, (which, as we said before, might well be in a few months) and we shall not only embrace with chearfulness, but shall, with eagerness, desire a discharge from our present service; and shall be most ready to disband all, or part, as shall be thought fit, the Arrears of the Soldiery being satisfied. We shall therefore earnestly desire, that these things may be minded and prosecuted effectually; and that nothing may interrupt them, save what shall be for immediate and necessary safety: and that, to avoid interruptions from such things as are not necessary, or less proper for parliamentary considerations or debates, you will leave all private matters, and things of ordinary justice and right, to the laws and present proper officers and administrations thereof, until better can be provided; and commit all ordinary matters of state to the management of a fit Council of State, sufficiently empowered for that purpose, and assisted with the addition of some merchants in relation to the balancing, security, and advance of Trade, so as you may be the more free, for the present, to attend those aforesaid considerations of Public Justice, and the Settlement of the Kingdom upon just and safe foundations of Public Interest; and that when you have effectuated them, or put them into a way of effect, you may, for the aftertime of this parliament's continuance, more entirely apply your councils to such other things as are the most proper work of Parliaments, and by and for which parliaments have had their esteem in this nation, and the kingdom most benefit by them, viz. the Reformation of Evils or Inconveniences in the present laws and administrations thereof; the Redress of Abuses and supplying of Defects therein, and the making of better constitutions for the well government and prosperity of the nation; as also the due proportioning of Rates, and providing of Monies, in the most equal and least grievous ways, for all necessary uses of the public, and the like: and, in order to such things, that you would, in due time and place, viz. after public Justice and the general Settlement, consider such special Overtures of that kind, as have been tendered to you in the Petitions of Well-wishers to Public Good; and particularly in that large Petition from many about London, dated the 11th of Sept. last, and also what shall be tendered of the like kind from others; that so what is really for the Remedy of common Grievances, or the Advancement of common Good, may not be slighted or neglected; but that evils in that kind being removed, and good things ordained and provided by you, for the ease, benefit and prosperity of the people, in all things possible, you may, when you come to lay down your trust, leave a good savour behind you, both to the name of Parliaments, and also of men professing Godliness,

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so much as this house hath done, and therein chiefly to the honour of Almighty God, who hath, in his rich grace and mercy, done such wonders for you and us. And for furtherance to all these ends, since the heart of man is deceitful and corrupt above all things, and most apt to answerable councils and actings, where it can hope to walk in the dark, undiscerned or undistinguished, though but to the eye of man, we must again desire, that even from henceforth the aforesaid liberty of entering Dissents, as it is in the Scots Parliament, where lately there hath appeared a most useful effect of it, so also may be admitted amongst you; or at least that in these transactions, of such high moment to the public and all honest interests, and in times so apt to deceit, defection, and apostacy, that liberty may be taken by all honest faithful Members, that desire to appear, as their hearts to God, so their ways to good men: yet still we wish not, whoever should by that means be detected for corrupt counsels, that, for his judgment there, any advantage should be taken without doors; but only that men may avoid the further trusting of such persons, and that the innocent may not be unjustly prejudiced or suspected.—Thus as the exigence of the case and nature of the business requires, being of such vast importance to all public, religious, and honest interest, not in this kingdom only, but in neighbour nations, we have dealt with all plainness and clearness as God hath enabled us; and now, to conclude, we hope that, in an age of so much light mere will or resolution will not be held forth or pursued against it; but that, what reason or righteousness there is in the things we have said, will be considered and followed: nor let it find prejudice with you from any disdain towards those from whom it comes, being in the condition of an Army, looked upon as servants under you, since servants may speak to their masters, and ought to be heard and regarded, even when they speak for their own right only, and rather when they speak for the good and safety of them they serve; but much more when they speak of that wherein they have some joint interest with them; and yet more when, those their immediate masters being themselves also servants and trustees for the benefit of others, they speak for the interest of those for whom both are employed.—By the Appointment of his Excellency the Lord-General, and his General Council of Officers JOHN RUSHWORTH."

Debate upon the foregoing Remonstrance from the Army.] This long Remonstrance occasioned very high debates. Mr. Whitlocke writes*, "That some members inveighed sharply against the insolency of it; others palliated or excused the matters in it; and some did not stick to justify it; but that most were silent because it came from the Army, who, they feared, would do as they had done formerly." Another Contemporary Writer is much more particular*: he informs us, "That this Remonstrance was no sooner read in the house of commons, but the Independents began to applaud it highly; of which the principal were sir Peter Wentworth, Mr. Scott, and Mr. Holland: the latter of whom having moved, That the Thanks of the house might be returned to the Army, for this their so seasonable Remonstrance, Mr. Prynne answered, 'That it was so far from being seasonable, that it was subversive of the law of the land, and the fundamental constitutions of the kingdom; and that the effects of it could be nothing but desolation and confusion.' Mr. Maynard argued as if he had taken fees on both sides; one while magnifying the gallant deeds of the Army, and observing that, under God, they had saved the kingdom; then, firking them for their Remonstrance, and shewing how it tended to the destruction of the kingdom and the dissolution of government: yet others wanted not courage to lay the case open very plainly; saying, 'That it became not the house of commons, who are a part of the Supreme Council of the nation, to be prescribed to, or regulated and baffled by, a Council of Sectaries in Arms.' A city-member said, 'That the house ought not to be discouraged, but proceed in the Treaty to an agreement with the king, if possible; for that, upon so just and righteous a cause, they would not want the hands, hearts, and purses, of many thousands to back them.' —The Independents perceiving by these speeches, and the discontents and frowns of many in the house, that the Army was like to reap small thanks for their Remonstrance, moved, 'That it might be debated presently, or put off no longer than the morrow at farthest, that so the sense of the house upon it might be returned speedily by way of answer.' To which it was replied, 'That the Remonstrance in itself was tedious; and the particulars in it very many, and of too great moment to be debated, with sufficient caution and discretion, upon so short warning;' and thereupon a motion was made for putting off the debate for a week; which we find, by the Journals, was agreed to without a division.—But this delay gave so great disgust to the Officers who had brought up the Remonstrance, and attended in the lobby in hopes of a different Resolution thereupon, that they followed several of the Members down stairs with menacing speeches; saying, 'They must and would have their Remonstrance debated out of hand, or the house might take what followed.' A threat which they fully made good, as will shortly appear.

The Seven Delinquents to be excepted from Pardon.] Nov. 21. This day both houses agreed, That the seven persons excepted from Pardon should be Wm. earl of Newcastle, George lord Digby, sir Marmaduke Langdale, sir Rd. Greenville, David Jenkins, esq. sir Francis Doddington, and sir John Byron.

* Memorials, p. 350.

* Mercurius Pragmaticus, No. 35.

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An Additional Proposition touching Scotland.] Nov. 22. The lords agreed to the following Additional Proposition, voted by the commons the day before, "That such Agreements as shall be made by both houses with the kingdom of Scotland, for the Security of all those of that kingdom who have assisted or adhered to the parliament of England; and for the settling and preserving an happy and durable Peace between the two nations; and for the mutual defence of each other, be confirmed by act of parliament."

Further Proceedings of the Commissioners treating with the King in the Isle of Wight.] Nov. 24. This day came a Letter from the Commissioners for the Treaty, enclosing several Papers, and, amongst others,

The KING'S ANSWER concerning the votes of both Houses, which declare Part of his Majesty's Answer concerning the Church to be unsatisfactory.

"Newport, Nov. 18, 1648.

"C. *R.* In Answer to your Paper of the 17th inst. whereby you have acquainted his majesty with the Votes and Resolutions of both houses of the 11th, and thereupon desired his full consent to the several parts of the Proposition mentioned in those Votes, according to your former Desires, contained in your Paper of the 25th of Sept. concerning the Church; his majesty saith, That he hath well weighed and examined his concessions to that Proposition, and is very sorry to find that, notwithstanding all his care and endeavours to give his two houses satisfaction, manifested in four Answers already given in to you upon that subject, by which he hath consented to whatsoever he dare with a good conscience grant, yet his Answers are still returned back unsatisfactory.—But his majesty, upon perusal of your former Papers, finds that the main dissatisfaction of his two houses rests in the matters concerning the Abolition of Bishops, Sale of their Lands, and his majesty's intention to use a Form of Divine Service in his Chapel.—As to these particulars his majesty doth again clearly profess, That he cannot, with a good conscience, consent to the total abolition of the function and power of Bishops, nor to the entire and absolute alienation of their Lands, as is desired, because he is yet persuaded in his judgment, that the former is of Apostolical institution, and that to take away the latter is sacrilege. Neither can his majesty communicate in a public Form of Divine Service, and administration of the Sacraments, where it is wholly uncertain what the minister will offer to God; and therefore he cannot recede from his former Answers in any of those particulars. And if his two houses shall seriously consider how that his majesty, by his former Answers, hath totally suspended Episcopal Government for 3 years: and, after the said time, limited the same in the powers of Ordination and Jurisdiction; and that the primitive office of a Bishop only is by him endeavoured to be preserved; and that the Bishops Lands are heavily charged with leases for 99 years; and that Deans and Chapters, and other their dependents, are taken away; his majesty is confident his two houses cannot think it reasonable, in a matter of this nature, to offer any violence to the conscience of their sovereign, nor to suffer those differences, which rest in so narrow a compass, to hinder the Settlement of so blessed a Peace in this kingdom. And if his two houses shall not think fit to recede from the strictness of their demands in these particulars, his majesty can with more comfort cast himself upon his Saviour's goodness, to support him in, and defend him from, all afflictions, how great soever, that may befal him, than for any politic consideration, which may seem to be a means to restore him, deprive himself of the inward tranquillity of a quiet mind: wherefore, as to these particulars before-mentioned, as also concerning the Articles of Religion, and what else remains in difference, upon this Proposition, his majesty adheres to his former Answers; and hopes that his two houses, upon a review and farther consideration of his Reasons, will therewith rest fully satisfied."

The KING'S Final ANSWER to the Commissioners Papers about the Church.

"Newport, Nov. 21. 1648.

"C. *R.* For a final Answer to you, as to your Paper of the 17th, concerning the Church, and to your last Paper of the 20th inst. his majesty saith, That he is well pleased with the expression both in the preface and conclusion of the said last Paper, 'That his two houses 'intend not to force or offer violence to, but 'inform and rectify, his conscience;' and therefore, notwithstandidg the necessity which is urged upon him through your whole Paper for his present concessions, (which otherwise might seem to contradict those expressions which so well pleased his majesty) yet he hopes his ensuing Answers will satisfy his two houses since he is thereunto enforced by his conscience, which fully concurs with the sense of all other parliaments, but this, since the Reformation.—First, As for the Abolition of Episcopacy; if what you desire of his majesty would not, being granted, absolutely remove, nay abolish, the exercise of the Apostolical Bishop, this point would be soon agreed betwixt his majesty and his two houses; for all the additional power and jurisdiction which his majesty's predecessors have bestowed upon that apostolical function, he hath consented shall be taken away, as Archbishops, Deans and Chapters, &c. leaving nothing but what (as his majesty believes to have proved by his Papers to your Divines) was clearly instituted by the Apostles themselves; and if he should give way to remove all ecclesiastical functions, which by law are exercised, by that rule even the presbyters themselves might be taken away; for questionless the civil sanction gives the legal acting power to all divine institutions, otherwise the Christian clergy would now be in little better case than they were before there were Christian emperors. As for those Apos-

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tolical practices which have, or may (for the avoidance of greater evils) be altered, his majesty denies not but that circumstances may change the nature of moral actions; and may perhaps make that which is a fault at one time, singly considered in itself, become a duty at another; yet, if the particulars now demanded be not fit to be done, or perhaps a fault if done, his majesty conceives (the good end being the same on both sides, to wit, the Peace of the kingdom) that the consideration of extraordinary circumstances ought rather, in this case, to have a powerful operation with his two houses to recede from their Demands, (which cannot be thought a fault in them) than to be made use of as an argument to press his majesty to do a thing against his conscience, which appears to him to be unlawful; since the same good end may as well be obtained by relaxing on the one side, as by pressing on the other. Besides, his majesty conceives not this to be of that number, it being not only a bare practice, but an institution for continual use in the church.—Secondly, As for the Sale of Bishops Land; his majesty conceives that precedents in cases of conscience, cannot satisfy, they only proving that such things were done, not the lawfulness of them. Now, that the total alienation of Church Lands (which is the true state of the question) is sacrilege, divines of all sorts, and of all times, though otherwise differing in opinion, yet herein agree with his majesty's judgment; which being well weighed, he hopes may satisfy as to this particular. Nor can the practices under the Ceremonial law make any thing for this case, because in those days full compensation was always intended and ordinarily followed, though absolute necessity, and not such as might be otherwise avoided, dispensed sundry times with employing of sacred things.—Upon the whole matter, his majesty hopes that his two houses, after a more serious consideration of these and his former Reasons, will clearly discern that they are not pretended, but real points of conscience upon which he now sticks; and since, by the suspension of Episcopacy for 3 years, his majesty hath fully, for that time, granted his two houses Desires; since he hath reduced the Office of a Bishop, not only to the Apostolical Institution, which you say is not desired to be removed, but likewise taken away all those additional powers and jurisdictions which can make them liable to the imputation of those grievances and inconveniences mentioned in your Paper; for as for the Negative Voice in Ordination, his majesty much wonders that any can question that power to have been in the Apostolical Bishop, it being evident by 1 Tim. v. 22, and Titus i. 5. that sole Ordination was practised by them; and since it is more than likely that, upon a solemn debate had with the Divines, according to his majesty's former Desires, his majesty and the two houses will agree upon a settled Form of Church Government long before the end of 3 years, whereby all those distractions, feared after that time, will be prevented.—And, lastly, as for Church Lands; since by the heavy charging of them, his majesty hath satisfied those burthens for which they were engaged, he cannot but hope that his two houses will rest satisfied with these and his former Answers; especially considering that if the Treaty should break off upon this, which God forbid, the violence offered to his majesty's conscience, against which you protest, would be too apparent to all the world. Besides, the confusion that must necessarily follow in all these his dominions, which is no ways in his majesty's power to help; for you know who says, 'What shall it 'profit a man to gain the whole world, if he 'lose his own soul?' Whereas, on the contrary, the compliance with his majesty in these particulars puts him in a right way for the better information of his conscience, and in the mean time settles a happy Peace in these distracted kingdoms.—Concerning his majesty's Declaration for a set Form of Divine Service, in his Answer of the 4th inst. his majesty having now observed the latitude of the Directory, is willing that that expression shall not be taken as any part of his Answer. As to all other particulars, his majesty adheres to his former Answers."

The KING'S ANSWER touching the Votes upon his own Propositions.

"Newport, Nov. 21, 1648.

"C. R; His majesty having received the Votes of both houses of the 15th inst. in Answer to his own Propositions, formerly sent to both houses, is well pleased, 1. That, from and after such time as the Agreements of this Treaty be ratified by act or acts of parliament, all his houses, manors, lands, with the growing rents and profits thereof, and all other legal revenues of the crown, shall be restored unto him, liable to the maintenance of antient forts, and all other public and legal charges which they were formerly charged withal, or liable unto; with an exception of such castles and forts as are now garrisoned, and of such places for public magazines and stores as are now made use of, for so long time as both houses shall think fit to make use of them for the necessary defence of the kingdom. 2. His majesty doth likewise accept of such Compensation for those legal growing Revenues and Profits of the Crown which he hath or shall consent to part withal, for the satisfaction of both houses in this Treaty, in such manner and proportion as shall be agreed upon between his majesty and his two houses. 3. His majesty is well pleased that he be settled in a condition of honour, freedom, and safety, agreeable to the laws of the land. 4. And he doth consent to an Act of Oblivion and Indemnity to be passed, to extend to all persons for all matters, with such limitations and provisions as shall be agreed between him and his two houses of parliament. 5. And his majesty will farther consent, that it be declared by act of parliament, that nothing in his majesty's Propositions shall be made use of to abrogate, weaken, or

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anywise impair any Agreement in this Treaty, or any law, grant, or concession, agreed upon by his majesty and his two houses in pursuance thereof."

The King's last Answer concerning the Church voted unsatisfactory, and the Treaty further continued.] After reading these Papers the commons passed the following Votes: 1. "That the king's Answer, contained in a Paper of the 21st inst. to the late Proposition concerning the Church, in all the parts, except wherein he has declared his consent, is not satisfactory. 2. That the Treaty be continued to Monday night, the 27th inst, and that the Commissioners be enjoined to come away the next day, with such final Answer as they shall receive from the king to what remains."—The first of these Resolutions passed without a division. The second was carried by a majority of 94 against 60; and the lords having agreed to them both, they were ordered to be sent away to the Commissioners with all speed.

General Lord Fairfax orders col. Hammond to give up the Charge of the King's Person.] Nov. 27. A Letter was received from col. Hammond, governor of the Isle of Wight, enclosing another from lord Fairfax requiring the colonel's presence at St. Albans. When these Letters were read in the house of commons, several members took great offence at the Lord-General's behaviour, declaring they would by no means consent that col. Hammond should leave the Isle of Wight. To which it was answered by the Independents, 'That this was not a time to give the Army any cause of distaste or jealousy: that, since the General had sent for col. Hammond to consult with him, it would be taken as an affront, if the house should lay any contrary commands upon him, and seem to be done on purpose to exasperate the Army, by obstructing their proceedings, and as it were to abridge the General of exercising command over his inferior officer.' To this it was replied, 'That the giving the charge of the king, at this time, to any new person, would prove a greater cause of jealousy to the people, concerning his majesty's safety: that the requiring col. Hammond to continue his command, and not to give up his charge to another, could not be interpreted an affront to the Army, or an intent to abridge the General in point of command, because col. Hammond, as guardian of the king's person, was intrusted not only by the houses, and by Ordinance of parliament, but also by patent under the Great Seal; and therefore he ought not to give up his charge to any other, but by consent of parliament.' To this nothing was answered; and the result was to send away, with all expedition, the following Answers to the Letters from col. Hammond and the Lord-General, signed by the Speakers of both houses. And first that to the Colonel:

"Sir; Your Letter of the 26th inst, hath been read in both houses; whereby you intimate you have received a Letter from the lord-general Fairfax, importing his desire for your speedy repair unto him, and that col. Ewer was by him appointed to take the charge of the Island in your absence; the houses of parliament have taken into serious consideration the matter of the lord-general's Letter, and your Letter thereupon, and finding the affairs of that Island, in relation to the Treaty and their Instructions given unto you concerning the same, in such a posture as that they cannot posibly dispense with your personal attendance upon that charge, have commanded us to let you know, that it is their pleasure, and they do accordingly enjoin you to reside there, and to demean yourself according to the trust reposed in you by the said houses, and their Instructions formerly given unto you, until you shall receive further order from the said houses; and they have signified their pleasure therein to the General. Your &c. Nov. 27."

The Answer of both Houses to the Lord Fairfax.

"My lord; The houses being acquainted, by a Letter from col. Hammond, of your excellency's desire that he should speedily repair unto you, have commanded us to let you know, that they cannot possibly dispense with his absence from his charge in the Island, in regard of the Instructions he hath received from both houses concerning the safety of the king's person, and the security of that place; and therefore they desire you not to expect his sudden repair to you, nor to appoint col. Ewer, or any other, to take the charge of the Island until the pleasure of both houses be further signified unto you; and so we remain, Your &c. Nov. 27."

Nov. 29. Several Papers, relating to an intended Removal of the King's Person from Newport, were read in the house of lords, inclosed in the following Letter from col. Hammond, addressed to their Speaker.

"Newport, Nov. 28, 1648.

"My lord; Since my last to you, colonel Ewer is come into this island. At his coming, I demanded of him to know what Instructions he had, and from whom; because, though I held myself obliged to obey the General's commands in going to him, yet I had a trust upon me from the parliament, no ways, as I conceived, relating to the General or the Army, which I must be faithful unto, to the utmost of my power, and careful, as much as in me lies, that the parliament and kingdom's services might not be prejudiced in my absence. He produced a Letter, signed by John Rushworth, in the name and behalf of the General Council of the Army, ordering him to come hither; and if in case I should, according to the commands of the General, repair to the head-quarters, then he to secure the Person of the king in Carisbrooke Castle, or otherwise as he should think fit; and in case I should refuse, then to do as God should direct him, giving him power to raise other forces; and if he should so secure him, if he found any hazard in being here, to give them notice, and to bring the king over the water. This was the substance

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(to the best of my remembrance) of his said Instructions, to which I gave him Answer to this effect, That I knew none whatever had authority over me as a soldier but the General, except the parliament; neither did I hold myself obliged, or would I give obedience to any other authority or person whatsoever: but that to the matter of his directions, as I conceived, I ought not to give obedience to any save the parliament alone, who had intrusted me, and only had power so to do; but rather plainly told him, that if he, or any other, should so proceed to violate my Instructions from the parliament, whilst I continued so in trust, I held myself bound in conscience, honour, and duty to oppose them to my utmost; and accordingly, God assisting me, I resolved to do. This was the substance of my Answer, upon which he is resolved forthwith to go along with me to the head-quarters. This I hold my duty to acquaint your lordship with, and also what order I have taken in my absence for the preventing of such practices as you will perceive, by the inclosed directions and Instructions, which (I assure your lordship is the all in my power to do) that upon the consideration of it, your lordship may take such further order in an affair of such high concernment as to your wisdom shall seem best. Whatever the event be, I can say with the testimony of a good conscience, that in this whole weighty business, which hath now more than 12 months lain upon me, I have, as in the presence of God, faithfully and honestly discharged my trust to the best advantage of your service, and not more in any thing than in this; and if for a reward for it, and all other hazards, labour, and blood I have undergone and spent in your service, I may now receive a discharge from you of that burthen, so much too heavy for me, I shall rest fully satisfied, bless my God, thank your lordship, and be further obliged to be, what I must ever be, my lord, Your &c. R. HAMMOND." "P. S. Since the writing hereof I received the original to these two Copies inclosed."

To Col. HAMMOND, Governor of the Isle of Wight, or to Col. EWER, or to the Chief Commander of the Forces there.

"Whereas his excellency the Lord-General, and the General Council of Officers, have presented a Remonstrance to the house of commons, setting forth the Danger and Evil of the present Treaty; and desiring amongst other things, that the Person of the King may be proceeded against in a due way of Justice; and the house having as yet given no Answer or Resolution thereupon; to the end therefore that, by his escape in the mean time, the consideration of the said Desires, or any reasons thereof, may not be frustrated, you are hereby desired and required, upon the receipt hereof, immediately to secure the Person of the King in Carisbrooke Castle, in such condition as before the Treaty; and that you continue him so secured until some Resolution from the parliament in Answer to the said Remonstrance, or otherwise as you shall receive further orders from his excellency the Lord-General. By the Appointment of his Excellency the Lord-General and Council of Officers, held at Windsor, Nov. 25, 1648. JOHN RUSHWORTH, Sec."

For Colonel HAMMOND, Governor of the Isle of Wight.

"Sir; The Providence of God, together with the sense he hath been pleased to set upon our hearts concerning the condition of affairs in the kingdom, in relation to the Treaty, hath led us to prepare and present a Remonstrance to the house of commons, which we send herewith to you: we have found a general concurrence of the same things throughout the Army, and several counties; and we desire, as the Remonstrance, and the things contained therein, shall close with what God hath set upon your hearts, which we doubt not of, that you will, in a public way, express to the General you and your forces approbation thereof, and concurrence therein. By the Appointment of the General Council of Officers, held at Windsor, Nov. 25, 1648. J. RUSHWORTH, Sec."

The foregoing Papers were presented to the commons; and after a conference both houses agreed, "That a Letter be written to the General, to acquaint him, that his Orders to col. Ewer are contrary to the Resolutions of parliament, and the Instructions given to col. Hammond by both houses; and to require him to recall the said Orders, and to command col. Hammond presently to return back to his charge in the Isle of Wight."

Nov. 30. A Letter from major Cromwell, who had been sent to col. Hammond with the Orders of both houses, forbidding him to leave the Isle of Wight, inclosing another from the colonel himself, were read: both these were addressed to the Speaker of the house of lords.

"Windsor, Nov. 28, 1648.

"My lord; Col. Hammond, when I came from him, resolved to be at the head quarters as last night or this morning, and appointed me to meet him there; upon which consideration, having received your Orders to be conveyed unto him, I thought that to come this way by the head quarters was the surest way not to miss him, in case he should, according to his purpose, be come away from the island. Before I could get hither it was somewhat late last night; when I found col. Hammond not come, I went hence, intending to have got again into the post-road, and so to have hasted on; but having forgot to get the General's pass, which I did not know before-hand to be so needful, I was, for want of a pass, stayed and brought back by the centries about the head quarters; and the castle gates being shut, and the bridge drawn and locked and the keys gone up to the governor, so as I could not send unto the General, was stayed here till this morning. I am now going with what speed I can, and hope the time for your Orders is not lost, col. Hammond being not yet come hither as he

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appointed, so I presume he has already altered his purpose since my coming from him. Your, &c. H. CROMWELL."

"Farnham, Nov. 29, 1648.

My lord; Being at Farnham, on my Journey to the head quarters in obedience to the General's commands, I there met with your lordship's Orders brought to me by major Cromwell, enjoining me to reside in the Isle of Wight, which I shall yield immediate obedience to, by making my present return thither; though I must needs say with very great sadness of heart, because I had hoped and expected that, according to my most earnest desires, you would have been pleased to have freed me from the grievous burthen I have been so long pressed under; my unfitness for which is such for many reasons, that I yet hope, upon your further consideration of me, you will please to set me at liberty, it being so much for the advantage of your lordship's affairs: this therefore I must still leave with your lordships as the most desire of Your, &c. R. HAMMOND."

"Bagshot, Nov. 29, 1648.

P. S. "My lord, this being written before my restraint, should, with the last night's letter, have gone towards you; but those under whose custody I now am, did not, it seems, think fit to let it pass until now. I have given you an account of my imprisonment in a letter by another hand, which I hope is before this time come unto you."

The Lord Fairfax demands Money for his Forces.] The same day, a Letter from the lord Fairfax, which Mr. Whitlocke says "was deemed very high and unbeseeming," was reported to the house of commons from the Committee of the Army; wherein his lordship took notice, That they intended not to furnish him with any Money for contingencies, which of necessity must be had for pay of messengers, and other daily and incident charges of the Army; and therefore he must be forced to take money for this purpose out of the collectors and receivers hands, where he could find it, if speedy course were not taken to supply him: Hereupon it was ordered, That the Committee of the Army do take such course for the pay of their Arrears as they shall think fit, for their Satisfaction.

The Commons defer the Consideration of the Army's large Remonstrance.] Both houses of parliament and the city of London were now alarmed with the Report of another visit from the Army; notwithstanding which the commons were so resolute as to put the negative upon a motion for taking into consideration the late Remonstrance from the General and his Council of war, by a majority of 125 against 53.

Declaration of the Army on their resolving to march up to London.] When this last mentioned Remonstrance was presented to the house of Commons on the 20th of this month, the consideration of it was appointed for the 27th, on which day it was ordered to be put off to the 1st of December. These repeated delays gave great disgust to the Army, and occasioned the following Declaration, by way of Appeal from the house of commons to the people.

The DECLARATION of his Excellency the Lord General Fairfax and his General Council of Officers, shewing the Grounds of the Army's Advance towards the City of London. Nov. 29, 1648.

"Being full of sad apprehensions concerning the danger and evil of the Treaty with the king, and of any Accommodation with him, or restitution of him thereupon, we did, by our late Remonstrance, upon the reasons and grounds therein expressed, make our application thereby unto the present house of commons, that the dangerous evil of that way might be avoided, and the peace of the kingdom settled upon more righteous, safe, and hopeful grounds, viz. a more equal dispensing of justice and mercy, in relation to things done or suffered in the late wars, and the establishing of the future government of this kingdom upon a safe succession and equal constitution of parliaments; and that for the ending of present, and avoiding of future differences, to be ratified by an Agreement and Subscription of the people thereunto.—This course we took out of our tender care and earnest desire that all ways of extremity might be avoided, and that those matters of highest concernment to the public interest of this nation might be pursued and provided for if possible, by those whose proper work and trust it was; and herein we are willing to hope, that the persons so trusted, or the majority of them, might possibly have been either driven into that destructive way by forcible impulsions, or lapsed thereinto through some inconsideration, or misapprehensions and conceived jealousies, and therefore we did carefully decline the insisting upon any thing that might continue or renew any former jealousies or animosities, and keep only to such things as were of necessity or advantage to the common cause, and of common and equal concernment to those that have engaged in it; which things we pressed in the way of reason and persuasion only, that they might be duly and timely considered: but, to our grief, we find, instead of any satisfaction or reasonable Answer thereto, they are wholly rejected without any consideration of them, whatever reason or justice might be in the things set forth or propounded therein: for what less can be understood, when the things propounded were mainly for the avoidance of evil appearing in the Treaty with the king? and yet they put off the consideration of them, till there should be no place for any consideration at all. First, laying it aside till Monday last, by which time the Treaty, as then supposed would have been concluded; but that failing, and two days more being added to the Treaty, the consideration of our Remonstrance on the day appointed, was waved and laid aside; the Treaty, in the mean while, going on in the former way and terms, and like to be concluded the very next day.—Now, though

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we are far from that presumption, that the things should therefore be answered and considered, because propounded by us, save for the reason, justice, or public concernment therein, yet having no Answer, or any thing shewed us to the contrary, we cannot but, upon the grounds remonstrated, and many more which might be added, remain confident in our former apprehensions concerning them; and seeing the prevailing part of those to whom we did apply, have, as it were, their eyes wilfully shut, and ears stopt against any thing of light or reason offered to them, we find no place left for our former charitable or hopeful apprehensions concerning their error in such evil ways; but remain fully assured of the danger and destructiveness thereof, as to all those public ends for which they were entrusted, and also of the just advantage and necessity which lie in the things we have propounded and insist on. We now see nothing left to which their engaging and persisting in such ways, and rejection of these better things propounded, can rationally be attributed, less than a treacherous or corrupt neglect of, and apostacy from, the public trust reposed in them; although we could wish from our souls we might yet find the contrary; nevertheless we do not in these things assume a standing power of judgment, as of right or trust, to conclude others thereby; acknowledging that to lie most properly in those whom the people duly chuse and trust to judge for them; but on the consideration that such power, where it is committed, is but in trust, and that neither this nor any other people did ever give up their natural capacities of common sense or reason as to the ends and fundamentals of that trust; and that, as to the breach of such trust, there is no higher formal power of man in being to appeal unto for judgment. In such case, as all others concerned in such breaches of trust will, so we cannot but, exercise that common judgment which in our natural capacities, is left to us: nd though, in smaller failures of such trust, which might be borne without hazard of destruction to that interest and those people for which especially the trust is; or where the trustees were of an indifferent equal constitution in reference to the whole; or where we had an orderly and open way left for a just succession of another formal and proper judicature to be appealed unto in due time, we should not oppose or hold forth our private judgments to the least disturbance of that orderly and peaceable course of judgment so established; yet, in our present case, we are so fully convinced of the greatness and destructiveness of those evils we have declared against, and of the necessity and essentiality of those better things we have desired and propounded, and how inconsistent it is with the public trust and fundamental ends of it, still to pursue the one and reject the other, as that we dare, with confidence, appeal therein to the common judgments of indifferent and uncorrupted men, and to the more righteous judgment of God above all.—And as the incompetency of this parliament, in its present constitution, to give an absolute and conclusive judgment for the whole, especially to be the sole judges of their own performance of breach of trust, doth make the juster way for such an appeal; so indeed we see no other way left for Remedy, in regard the present unlimited continuance of this parliament doth exclude the orderly succession of any other more equal formal judicature of men, to which we might hope, in due time, otherwise to appeal.—Thus, when we apprehend ourselves in the present case both necessitated to, and justified in, an Appeal from this parliament, in the present constitution as it stands, unto the extraordinary judgment of God and good people; and yet, in the prosecution of this Appeal, as we shall drive it on but to the speedy obtaining of a more orderly and equal judicature of men in a just representative, according to our Remonstrance; wherein to acquiesce so in the present procuring of justice with the people's ease and quiet, and in the settling of the kingdom upon a due, safe, and hopeful succession of parliaments, it is our hearts desire, and shall be our endeavour, that so much, both of the matter and form, of the present parliamentary authority may be preserved, as can be safe, or will be useful to those ends, until a just and full constitution thereof, both for matter and form, suitable to the Public ends it serves for, can be introduced.—And therefore, 1. it should be our great rejoicing, if God saw it good, that the majority of the present house of commons were become sensible of the evil and destructiveness of their late way, and would resolvedly and vigorously apply themselves to the speedy execution of justice, with the righting and easing of the oppressed people, and to a just and safe Settlement of the kingdom upon such foundadations as have been propounded by us and others for that purpose; and would, for the speedier and surer prosecution of these things, exclude from communication in their councils, all such corrupt and apostatized members as have appeared hitherto but to obstruct and hinder such matter of justice, safety, and public interest, and to pervert their councils a contrary way, and have therein so shamefully both falsified and forfeited their trust.—But, however, if God shall not see it good to vouchsafe that mercy to them and the kingdom, we shall, 2. desire, That so many of them as God hath kept upright, and shall touch with a just sense of those things, would, by Protestation, acquit themselves from such breach of trust, and approve their faithfulness, by withdrawing from those that persist in the guilt thereof; and would apply themselves to such a posture, whereby they may speedily prosecute those necessary and public ends, without such interruptions, and depravations of their Councils from the rest, to their endless trouble, oppression, and hazard of the kingdom, as formerly; and for so many of them,

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whose hearts God shall stir up thus to do, we shall therein, in this case of extremity, look upon them as persons having materially the chief trust of the kingdom remaining in them; and though not a formal standing power to be continued in them, or drawn into ordinary precedents, yet the best and most rightful that can be had, as the present state and exigence of affairs now stand; and we shall accordingly own them, adhere to them, and be guided by them in their faithful prosecution of that trust, in order unto, and until the introducing of, a more full and formal power in a just representative to be speedily endeavoured.—Now, yet further, to take away all jealousies in relation to ourselves, which might with-hold any honest members from this courage, as we have the Witness of God in our hearts, that, in these proceedings, we do not seek, but even resolve we will not take, advantages to ourselves, either in point of profit or power; and that if God did open unto us a way, wherein, with honesty and faithfulness to the public interest and good people engaged for us, we might presently be discharged, so as we might not, in our present employments, look on, and be accessary to, yea supporters of, the parliament in the present corrupt, oppressive, and destructive proceedings, we should, with rejoicing, and without more ado, embrace such a discharge, rather than interpose in these things to our own vast trouble and hazard; so if we could but obtain a rational assurance for the effectual prosecution of these things, we shall give you any proportionable assurance on our parts, concerning our laying down of arms, when, and as we should be required: but for the present, as the case stands, we apprehend ourselves obliged in duty to God, this kingdom and good men therein, to improve our utmost abilities, in all honest ways, for the avoiding these great evils we have remonstrated, and for prosecution of the good things, we have propounded; and also that such persons who were the inviters of the late invasion from Scotland, the instigators and encouragers of the late insurrections within this kingdom, and, those forcible ways failing, have still pursued the same wicked designs, by treacherous and corrupt counsel, may be brought to public Justice, according to their several demerits. For all these ends we are now drawing up with the Army to London, there to follow Providence as God shall clear our way. By the appointment of his Excellency the Lord-General and Council of Officers. J. RUSHWORTH."

The Commissioners return home, and present to the Parliament the rest of the Papers relating to the Treaty.] Dec. 1. The Commissioners being now come back from the Isle of Wight, this day the earl of Northumberland delivered in to the house of lords divers Papers concerning the Treaty. Amongst them were,

The KING's Final ANSWER concerning the Marquis of ORMOND.

"Newport, Nov. 25, 1648.

"C. R. For a final Answer as to your Paper of the 25th inst. concerning the Proceedings of the lord Ormond in Ireland, his majesty saith, That he well hoped that by this time such a happy conclusion of this Treaty would have been made, that, by his former Answers, his two houses might have obtained what they desired in this particular: but assuring himself that his large concessions in this Treaty will, ere long, be the foundation of a blessed Peace, his majesty, to manifest the clearness of his intentions in that matter, and to give his two houses satisfaction, hath written, and delivers herewith unto you, his Letter to the marquis of Ormond, acquainting him with such informations as he hath received from the two houses concerning his proceedings in that kingdom, and requiring him to desist from any further prosecution of the same; and, in case he shall refuse, his majesty will then make such public Declaration, against his power and proceedings as is desired."

The King's LETTER to the Marquis of ORMOND, requiring him to desist from any further Proceedings in Ireland.

"C. R. Whereas we have received several informations from our two houses of parliament, concerning your proceedings with the Confederate Roman Catholics in the kingdom of Ireland, the several Votes and Extracts whereof we do herewith transmit to you: and forasmuch as we are now engaged in a Treaty of Peace with our two houses, wherein we have made such large Concessions as we hope will prove the foundation of a blessed Peace; and having by one Article, if the said Treaty take effect, promised to intrust the prosecution and management of the Irish War in Ireland to the guidance and advice of our two houses, we have therefore thought fit hereby to require you to desist from any farther proceedings upon the matters contained in the said Papers; and we expect such obedience unto this our command, that our two houses desire may be fully satisfied. Given at Newport in the Isle of Wight, the 25th of Nov."

The King's Speech to the Commissioners at their taking Leave of him.] In Royston's Edition of the King's Works we meet with the following Speech made by his majesty, at taking Leave of the Commissioners:

"My lords; You are come to take your leave of me, and I believe we shall scarce ever see each other again; but God's will be done. I thank God, I have made my peace with him, and shall, without fear, undergo what he shall be pleased to suffer men to do unto me. My lords, you cannot but know that, in my fall and ruin, you see your own, and that also near to you. I pray God send you better friends than I have found. I am fully informed of the whole carriage of the Plot against me and mine; and nothing so much afflicts me, as the sense and feeling I have of the sufferings of my subjects, and the miseries that hang over my three kingdoms, drawn upon them by those who, upon pretences of public good, violently pursue their own interests and ends."

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Debate in the Commons, whether the King's Answers were satisfactory.] This day Mr. Denzil Hollis reported the result of the Treaty to the Commons. The first step was, that the house ordered their Speaker to return their Thanks to lord Wenman, Mr. Hollis, Mr. Pierpoint, and Mr. Crew, then present, for their great, good, and very faithful services to the parliament and kingdom in that employment. After which, the house proceeded to take into consideration the king's Answers, which being exclaimed against by some members as unsatisfactory, Mr. Fiennes argued, 'That the king had done enough to secure religion, laws, and liberties, in granting the Militia, resigning up himself and all affairs of state to the discretion of both houses, and yielding to abolish whatsoever was offensive in the government of the Church; and that these things being provided for, which were the only things which the parliament had so often declared to be the ground of their quarrel, his majesty must needs have given sufficient satisfaction. As for Delinquents, he said, his majesty had offered reasonably, that they might be left to the law; and not himself pressed to such a dishonourable inconvenience as to condemn them by his consent in an illegal, extraordinary, arbitrary way; forasmuch, as in ordinary construction, it must be presumed, that when the houses engaged to bring Delinquents to punishment, it was not meant in an arbitrary way, but according to the laws of the land, against which they had offended. As concerning the Bishops, he said, the king had granted all in effect that was desired, and intended not to set up bishops again, except his houses, at the 3 years end, did agree to it, which amounted to as much as putting them down for ever; and to refuse so fair an offer, were to betray the weakness of the Presbyterian cause, in the opinion of the world, as if it would not endure the test of a 3 years trial.' Mr. Fiennes being about to procced to other particulars, Mr. Harvey interrupted him, saying, 'That the purchasers and contractors would not be contented with leases for 99 years, and therefore the king had not given satisfaction about Bishops Lands.' To which another member immediately replied, 'That he hoped Mr. Harvey's interest in Fulham *, and that of such others as himself, should not be respected before the public peace and welfare of the kingdom, which could not be effected but by an accord with his majesty.'—After this it was resolved by a majority of 153 against 102, upon the previous question, to adjourn the consideration, "How far the king's Answers to the Propositions of Peace were satisfactory or not," till the next morning.

Letter from lord Fairfax, giving Notice of the Army's Advance towards the City, and demanding 40,000l. immediately.] This day, the Sheriffs of London attended both houses to inform them, That the lord mayor, having called a common council that morning, did communicate a Letter to them, which he received from the Lord-General the night before, by a trumpeter, as he was going about the city according to usual course, to view the watches, which they thought of so great concernment as to have both houses acquainted therewith. The Letter was as follows:

To the Right Hon. the Lord Mayor, Aldermen, and Common Council of the City of London.

"Windsor, Nov. 30, 1648.

"My lord and gentlemen; Being upon an immediate Advance with the Army towards London, we thought good hereby to give you notice thereof. For the ground and necessity leading us hereunto, we refer you to our late Remonstrance, and to our later Declaration, concerning the same. We have only this further to add, that as we are far from the least thoughts of plunder, or other wrong, to your city, or any other places adjoining, which we hope your former experience of us will give you cause enough to credit us in; so, for the better prevention of any disorder in the soldiery, or of any abuse or inconvenience to the inhabitants in quartering of the soldiery at private houses, we earnestly desire that you would take a present course for the Supply of Money to pay those forces while we shall be necessitated to stay there, upon which, we assure you, we shall so dispose of them into great and void houses about the city, as much as may be possible, as that few or none of the inhabitants shall be troubled with quartering of any soldiers at all; and for this purpose we desire that 40,000l. may be forthwith provided upon the security of our Arrears, to be ready to be paid out to the forces to-morrow night, if possible; and we shall be ready to receive from you any intimation for the further prevention of hurt or inconvenience to the city in this business. I remain Your &c, FAIRFAX."

The following Answer was given by the lords to the Sheriffs: "The lords return Thanks to the lord mayor, aldermen, and common council, for their respect shewed to that house; and as to the 40,000l. mentioned to be secured upon Arrears to the Army from the city, the lords leave it to themselves to do therein as they shall think most fit for preventing of inconveniences."—The Answer of the commons was much more explicit: viz. "Mr. Sheriff, and the rest of you gentleman of the City; The house has taken your business into serious consideration, and have had long debate thereupon; and have resolved to send a Letter to the General from this house: and that you forthwith provide 40,000l. of the Arrears, due by the city to the Army, upon security of the said Arrears, and the residue with all the speed you can: and the house doth give you leave to address your-

* Alluding to Mr. Harvey's having purchased the Bishop of London's Palace at Fulham, of which he was then in possession.

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selves to the General, by committee, letter, or otherwise, as you shall think fit."

In consequence of these Answers from the parliament, the city ordered a Committee from the common council to wait upon the Lord-General with a Letter, promising payment of the sum demanded, or the most part of it, the next day; and desiring that, in the mean time, no violence or injury might be done to the citizens.

The Commons write to the General to stop his March; to which he pays no Regard.] The house of commons also ordered a Letter to be written to the General on this occasion, which is not entered in the Journals; yet, by the Contemporary Writers, it appears that the purport of it was to forbid his lordship's nearer approach towards London: but, while the committee were preparing this Letter, the house was informed that the Army were advanced within a mile of Westminster; that they had planted guards at Hyde-Park Corner, cut down trees, levelled the inclosure, and laid it in common. Hereupon, a motion was made for adding a Clause to the Letter, "That the Army's Approach was derogatory to the Freedom of Parliament;" but it passed in the negative by 44 against 33.

The Commons resume the Consideration of the King's Answers.] Dec. 2. The commons resumed the consideration of the question, "How far the king's Answers to the Propositions were, or were not, satisfactory." The debate hereon was opened by

Sir *Henry Vane*, jun, who said, 'Mr. Speaker; We may do well now to consider the king's last Answer upon the Treaty; for, by the debate, we shall soon guess who are our friends, and who our enemies; or, to speak more plainly, we shall understand by the carriage of this business, who are the king's party in the house, and who for the people.' He then proceeded to put them in mind, 'That they had been diverted from their old settled Resolution and Declaration, of making no more Addresses to the king, since which the kingdom had been governed in great peace, and begun to taste the sweets of that Republican Government which they intended and begun to establish; when, by a combination between the city of London and an ill-affected party in Scotland, with some small contemptible insurrections in England, all which were fomented by the city, the houses had, by clamour and noise, been compelled to reverse their former votes and Resolutions, and enter into a Personal Treaty with the king; with whom they had not been able to prevail, notwithstanding the low condition he was in, to give them any security; but he had still reserved a power in himself, or at least to his posterity, to exercise as tyrannical a government as he had formerly done: that all the Insurrections which had so terrified them were now totally subdued, and the principal authors and abettors of them in their custody, and ready to be brought to justice, if they pleased to direct and appoint it: that their enemies in Scotland were reduced, and that kingdom entirely devoted to a firm and good correspondence with their Brethren, the parliament of England; so that there was nothing wanting but their own consent and resolution, to make themselves the happiest nation and people in the world; and to that purpose he desired they might, without any more loss of time, return to their former Resolution of making no more Addresses to the king; but proceed to the settling the government without him, and to the severe punishment of those who had disturbed their peace and quiet, in such an exemplary manner as might terrify all other men for the future from making the like bold attempts; which, he told them, they might see would be most grateful to their Army, which had merited so much from them by the Remonstrance they had so lately published.—To this it was replied by another Gentleman, 'Mr. Speaker; Since this gentleman hath had the presumption to deal thus by way of prevention in a threatening manner, and forejudged and divided the house into two parts, I hope it is as lawful for me to take the same liberty in dividing the house likewise into two parts upon this debate. Mr. Speaker, you will find some that are desirous of a Peace and Settlement, and those are such as have lost by the war; others you will find that are against Peace, and those are such as have gained by the war: My humble motion therefore is, That the gainers may contribute to the losers, that we may all be brought to an equal degree; for, till then, the balance of the commonwealth will never stand right toward a Settlement.'*—The debate continuing till 4 in the afternoon, it was pressed very earnestly by Mr. Prideaux, sir Tho. Wroth, sir Peter Wentworth, and others of the Independent party, that the house would come to some speedy Resolution upon the king's last Answers: But

Mr *Prynne* insisted, 'That the consideration thereof ought to be laid aside till they were a free parliament; for that their debates could not be with due liberty, now that they were environed by the Army.' To which

* Mr. Walker in his History of Independency, and Needham in his Mercurius Pragmaticus, observe that this reflection silenced sir Henry Vane, which they account for thus: 'True Jests bite sore: The two Vanes opposed Peace, lest, the king's revenue being restored, they should lose a good trade there; the father being chairman of that committee, the son treasurer; they get constantly above 6000l. per Annum between them, besides private cheats, by paying half debts and taking acquittances for the whole, and then discounting for the whole; buying in old sleeping pensions for trifles, that have not been paid in many years, and paying themselves all arrears.' Lord Clarendon's Account of the Debates in parliament, about this time, seem to have been taken from one or both of these authors; and are, in several instances, the same in terminis.

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Mr. *Richard Norton* answered, 'Take heed what you say against the Army, for they are resolved to have a free parliament to debate the king's Answer, if we refuse; and therefore my motion is, Mr. Speaker, that candles may be lighted, and that we proceed to debate it.' Upon which another Member said, Mr. Speaker, I perceive very well that the drift of some gentlemen is to take advantage not only of the terror now brought on us by the present approach of the Army, but also to spin out the debate of this business to an unseasonable time of night, by which means the more ancient members of the house (whom they look upon as most inclined to Peace) will be tired out, and forced to depart, before we can come to a Resolution; and therefore I hope the house will not agree to this last proposal.'—Then the question being put upon the motion for Candles, it was carried in the Negative, by 132 against 102; and the house adjourned till Monday without coming to any Resolution upon the Treaty.

Lord Fairfax and his Army march up to Westminster.] This day, also, the Lord-General Fairfax took up his lodgings at Whitehall, attended by 6 regiments of horse and 4 of foot, which were quartered at St. James's, the Mews, York-House, and other great vacant houses in the skirts of the city, and in the adjacent villages.

The King removed to Hurst-Castle, by an Order from the Council of War.] Dec. 4. The commons having met according to adjournment, they received intelligence of the King's being removed from Newport to Hurst-Castle*, the particulars of which appeared in the following Letter to the Speaker of the house of commons, from major Rolph, capt. Bowerman, and capt. Howes, whom col. Hammond had deputed to take the charge of the King's Person in the Isle of Wight, whilst he was gone to wait upon the lord Fairfax at Windsor.

"Carisbrooke-Castle, Dec. 1, 1648.

"Right honourable; Yesterday there came into the Isle some officers of the Army, viz. lieut. col. Cobbett and capt. Merryman, with Instructions from the General and Council of War, directed to themselves and the commander in chief here, forthwith to secure the Person of the King in Carisbrooke-Castle, as before the Treaty, until they should receive some resolution from the house upon their late Remonstrance: and they understanding the management of the affairs of this Island was committed by col. Hammond to ourselves, or any two of us, they acquainted us with their Instructions, desiring our concurrence with them, that so the present work, intended by them, might with less difficulty be accomplished.—While we were in debate of these things, there came in a messenger from the General, with an Order under his hand and seal, directed to the gentlemen, commanding them immediately to take the Person of the King into their charge, and to remove him forthwith into Hurst-Castle; requiring us by name, with all other officers and soldiers in the Isle, to be aiding and assisting to them therein; two of us, viz. major Rolph, and capt. Howes, upon sight of that Order, declared ourselves obliged not to disobey the General's commands, but conceived ourselves bound to yield obedience thereunto by our commissions; the other of us, viz. capt. Bowerman, declared his judgment, That his duty lay immediately to the governor himself, who had entrusted him; and that contrary to those Instructions he could not act; neither was he of himself in a capacity to oppose them in that service. Cap. Howes being dissatisfied in the action, manifested his unwillingness to join in it, and his resolution neither directly nor indirectly to oppose it; but the gentlemen, with the concurrence of the Army Forces here, and the assistance of a fresh troop of horse and one company of foot, which landed in the night, in pursuance of their commands, very civilly made their addresses to the king, according to another order from the lord-general, for his usage with all civility and due respect to his person.—Between 5 and 6 this morning, some of the gentlemen, who by the parliament were appointed to attend on the king, acquainted his majesty with the Orders and Instructions they had in charge from his excellency the lord-general concerning him; who presently and quietly consented thereunto, and set forward in his coach from Newport at 8 this morning, towards Hurst-Castle, with Mr. Harrington, col. Herbert, and capt. Mildmay, and others of his servants to attend him. And we do assure you that, in the whole transaction of this great affair, there neither was nor is the least disturbance in this Isle. Thus we have, with all clearness and faithfulness, given you a full and impartial account of these late Proceedings here; and having so done, we subscribe ourselves Your, &c. E. ROLPH, T. BOWERMAN, F. HOWES; P. S. 'Since the writing hereof, we have intelligence that his majesty is safely arrived at Hurst-Castle."

This letter being read, many members spake against the insolency of this fact, as being committed against the Life of the king, and the honour and public faith of the parliament, who had voted, he should treat in honour, freedom, and safety, in Newport in the isle of Wight: and had accepted his word not to withdraw out of the island during the treaty, nor in 20 days after, which were not yet expired; and that now to have the houses debates forestalled, and the Treaty frustrated by such an act of violence and prevention committed upon the person of the king, was a presump-

* "A Block-house out of the Isle of Wight, standing about a mile and a half in the sea, upon a beach full of mud and stinking oaze upon low tides; having no fresh water within two or three miles of it, bitter cold, and of a foggy and pestilent air, so noisome that the guards thereof were not able to endure it long without shifting their quarters," Walker's History of Independency, part ii. p. 27.

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tuous and rebellious act. It was therefore proposed to resolve, That the Removal of the King out of the Isle of Wight was without the knowledge of the house; and a motion being made to add, 'or Consent,' after the word 'Knowledge,' it passed in the affirmative, by 136 against 102.

The King's Declaration when carried away from Newport.] On the King's being carried away from Newport, he delivered to one of his servants the following Declaration concerning the Treaty, and his dislike of the Army's proceedings, which he commanded to be published for the satisfaction of his subjects. It was accordingly printed, and we give it from the original edition *.

"When large pretences prove but the shadow of weak performances, then the greatest labours produce the smallest effects; and when a period is put to a work of great concernment, all mens ears do, as it it were, hunger till they are satisfied in their expectations. Hath not this distracted nation groaned a long time under the burden of tyranny and oppression? And hath not all the blood that hath been spilt these seven years been cast upon my head, who am the greatest sufferer, though the least guilty? And was it not requisite to endeavour the stopping of that flux, which, if not stopt, will bring an absolute destruction on this nation? And what more speedy way was there to compose those distractions than by a Personal Treaty, being agreed upon by my two houses of Parliament, and condescended to by me? and I might declare, that I conceive it had been the best physic, had not the operation been hindered by the interposition of this imperious Army, who were so audacious as to style me in their unparalleled Remonstrance, their 'Capital Enemy.' But let the world judge whether mine endeavours have not been attended with reality in this late Treaty; and whether I was not as ready to grant as they were to ask: and yet all this is not satisfaction to them that pursue their own ambitious ends more than the welfare of a miserable land.—Were not the dying hearts of my poor distressed people much revived with the hopes of a happiness from this Treaty? And how suddenly are they frustrated in their expectations! Have not I formerly been condemned for yielding too little to my two houses of parliament? And shall I now be condemned for yielding too much? Have I not formerly been imprisoned for making war; and shall I now be condemned for making Peace? Have I not formerly ruled like a King; and shall I now be ruled like a Slave? Have I not formerly enjoyed the society of my dear wife and children in peace and quietness; and shall I now neither enjoy them nor peace? Have not my Subjects formerly obeyed me; and shall I now be obedient to my Subjects? Have I not been condemned for evil Counsellors; and shall I now be condemned for having no Counsel but God? These are unutterable miseries, that the more I endeavour for Peace, the less my endeavours are respected: and how shall I know hereafter what to grant, when yourselves know not what to ask? I refer it to your consciences, whether I have not satisfied your Desires in every particular since this Treaty: if you find I have not, then let me bear the burden of the fault; but if I have given you ample satisfation, as I am sure I have, then you are bound to vindicate me from the fury of those whose thoughts are filled with blood; though they pretend zeal, yet they are but wolves in sheep clothing.—I must further declare, that I conceive there is nothing can more obstruct the long-hoped for Peace of this nation, than the illegal proceedings of them that presume from servants to become masters, and labour to bring in democracy, and to abolish monarchy. Needs must the total alteration of fundamentals be not only destructive to others but, in conclusion to themselves; for they that endeavour to rule by the sword, shall at last fall by it: for Faction is the mother of Ruin; and it is the humour of those that are of this weathercock-like disposition, to love nothing but Mutabilities, neither will that please them but only pro tempore; for too much variety doth but confound the senses and makes them still hate one folly and fall in love with another.—Time is the best cure for Faction; for it will at length, like a spreading leprosy, infect the whole body of the kingdom, and make it so odious that at last they will hate themselves for love of that, and like the fish, for love of the bait, be catched with the hook.—I once more declare to all my loving subjects, and God knows whether or no this may be my last, that I have earnestly laboured for Peace, and that my thoughts were sincere and absolute, without any sinister ends, and there was nothing left undone by me that my conscience would permit me to do. And I call God to witness, that I do firmly conceive that the interposition of the Army, that Cloud of Malice, hath altogether eclipsed the glory of that Peace which began again to shine in this land. And let the world judge whether it be expedient for an Army to contradict the Votes of a kingdom, endeavouring, by pretending for laws and liberties, to subvert both. Such actions as these must produce strange consequences, and set open the flood-gates of ruin to overflow this kingdom in a moment.—Had this Treaty been only mine own seeking, then they might have had fairer pretences to have stopt the course of it; but I being importuned by my two houses, and they by most part of the kingdom, could not but with a great deal of alacrity concur with them in their desires, for the performance of so commodious a work; and I hope by this time that the hearts and eyes of my people are opened so much, that they plainly discover who are the underminers

* The Publisher's Name is not in the Title Page; but from many circumstances it appears to have been printed by Royston, in whose Edition of the King's Works it is also inserted.

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of this Treaty.—For mine own part, I here protest before the face of heaven, that mine own afflictions, though they need no addition, afflict me not so much as my people's sufferings; for I know what to trust to already, and they know not: God comfort both them and me, and proportion our patience to our sufferings.—And when the malice of mine enemies is spun out to the smallest thread, let them know, that I will, by the grace of God, be as contented to suffer, as they are active to advance my sufferings; and mine own soul tells me, that the time will come, when the very clouds shall drop down vengeance upon the heads of those that barricade themselves against the proceedings of Peace; for if God hath proclaimed a blessing to the Peace-makers, needs must the Peace-breakers draw down curses upon their heads.—I thank my God I have armed myself against their fury; and now let the arrows of their envy fly at me, I have a breast to receive them, and a heart possessed with patience to sustain them: 'For God 'is my rock and my shield, therefore I will 'not fear what man can do unto me.' I will expect the worst, and if any thing happen beyond my expectation, I will give God the glory, for vain is the help of Man! C. R."

Further Debate in the Commons on the King's Answers.] Immediately after the commons had voted the Removal of the king to Hurst-Castle to have been done without their knowledge or consent, they renewed the Debate upon the Commissioners Report of the Treaty; and the question was propounded, Whether the king's Answers to the Propositions of both houses be satisfactory? The Affirmative was maintained by sir Robert Harley, sir Benj. Rudyard, sir Symonds D'Ewes, Mr. Ed. Stephens, sir Harbottle Grimstone, Mr. Walker, and others; who argued, 'That the King's Concessions were sufficient for securing all the main ends, to attain which the parliament first engaged against him; and therefore his majesty had given sufficient Satisfaction.' For the Negative there appeared Mr. Prideaux, sir Tho. Wroth, sir Henry Vane, sen. and jun. Mr. Harvey, Mr. Edw. Ash, Mr. Venn, Mr. Blackiston, Mr. Scot, Mr. Hoyle, Mr. Corbet, Mr. Gourdon, and others: these urged, 'That unless the parliament would comply with the Desires of the Army, there could be no hope of a Settlement; and therefore they must look for it some other way than towards the king; who, sir Henry Mildmay said, was no more to be trusted than a lion that had been raged, and let loose again at his liberty.'—At length, the previous question being put, That the question, Whether the king's Answers to the Propositions of both houses are satisfactory, be now put? it was carried in the Negative by 144 voices against 93. This resolution was owing to many of those members, who were inclined to Peace, being apprehensive that they could hardly be able to carry a Vote, That the king's Concessions were satisfactory; and therefore they put the negative upon the previous Question, in order to frame a new one, viz. "That the Answers of the King to the Propositions of both houses are a Ground for the house to proceed upon for the Settlement of the Peace of the kingdom." And this occasioned another debate, which continued all night, and till nine next morning.

Mr. Prynne's Speech in Defence of the King's Answers to the Propositions.] The person who distinguished himself most upon this occasion, was the famous Mr. Prynne, who maintained the affirmative in a set Speech of several hours; which, though considered merely as such, may be deemed very long, is nevertheless a short and authentic Summary of all the transactions between the King, the Houses, and the Army, from the beginning of this parliament.—It is remarkable that neither lord Clarendon, Mr. Whitlocke, Mr. Rushworth, sir Philip Warwick, colonel Ludlow, nor any of the Contemporary Writers, except Mr. Walker, in his History of Independency, make the least mention of this Speech, although it was published the latter end of Jan. following by Mr. Prynne himself; and was then the subject of so much enquiry, that the following copy is taken from the 4th edition of it printed at that time*.

Mr. *Prynne* introduces his arguments in the following pathetic manner:—"Mr. Speaker; Being called to be a member of this house (without my privity or seeking, and against my judgment, having formerly refused many places freely tendered to me) by the unanimous election, without one dissenting voice, of that borough for which I serve; and, by a Divine Providence, entering within these doors in this great conjuncture of the highest public affairs that ever came within these walls,† wherein the very life or death, the weal or ruin of this kingdom, if not of Scotland and Ireland too, consist in our *Aye* or *No* upon the question now debating, I shall, with the greater boldness crave liberty to discharge my conscience towards God, and duty to my dying country, which now lies at stake; and so much the rather because, for ought I know, it may be the last time I shall have freedom to speak my mind within this house.—That I may, in this great debate, more sincerely speak my very heart and soul without any prejudice, I shall humbly crave leave, briefly, to remove two seeming prejudices, which may, perchance, in some members opinions, enervate the strength of those reasons I shall humbly represent unto you, to make good my conclusion touching the Satisfactoriness of the King's Answers to the houses Propositions.—The first is that wherewith some members have, upon another occa-

* London, printed for Michael Spark, at the Blue Bible in Green Arbor, 1648.

† Mr. Prynne was elected for Newport, in Cornwall, in this year, and took his seat only the 7th of November.

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sion last week, and now again, tacitly aspersed me, 'That I am a Royal Favourite,' alluding to the Title of one of my Books, out of which some have collected an abstract, in the nature of a charge against the king, and this day published it in my name; and I am now termed 'An Apostate to the King's Party and Interest.' To which I shall return this short Answer, I hope without any vain glory or boasting, being thus provoked thereunto, That I have opposed and written against the king and his prelates arbitrary power and illegal proceedings more than any man; that I have suffered from the king and prelates for this my opposition, more than any man; that if the king and prelates be ever restored to their pristine arbitrary power and illegal prerogatives, I must expect to suffer from them as much, if not more, than any man.—That all the royal favour I ever yet received from his majesty or his party, was the *cutting off my ears*, at two several times, one after another, in a most barbarous manner; the setting me upon three several pillories at Westminster and in Cheapside, in a disgraceful manner, each time for two hours space together; the burning of my licensed Books before my face by the hand of the hangman,* the imposing of two fines upon me of 5000*l.* a-piece; Expulsion out of the Inns of Court and University of Oxford, and degradation in both; the loss of my calling almost 9 years space; the seizure of my Books and Estate; above 8 years imprisonment in several prisons, at least 4 of these years spent in close imprisonment and exile at Caernarvon in North Wales, and in the Isle of Jersey; where I was debarred the use of pen, ink, paper, and all books almost but the Bible, without the least access of any friend, or any allowance of diet for my support; and all this for my good Service to the State in opposing Popery and Regal tyranny: for all which sufferings and losses I never yet received one farthing recompence from the king, or any other, though I have waited above 8 years at your doors for justice and reparations; and, neglecting my own private calling and affairs, employed most of my time and study, and expended many hundred pounds out of my purse, since my enlargement, to maintain your cause against the king, his Popish and Prelatical party: for all which cost and labour I never yet demanded nor received one farthing from the houses, nor the least office or preferment whatsoever, though they have bestowed divers places of honour upon persons of less, or no desert; nor did I ever yet receive so much as your public thanks for any public service done you, which every preacher usually receives for every sermon preached before you, and most others have received for the meanest services; though I have brought you off with honour in the cases of Canterbury and Macguire, when you were at a loss in both; and cleared the justness of your cause, when it was at the lowest ebb, to most Reformed Churches abroad, who received such satisfaction from my Book, that they translated it into two several languages; and engaged many thousands for you at home by my writings, who were formerly dubious and unsatisfied. Now, if any member, or old courtier, whatsoever shall envy my happiness for being only such a royal or state favourite as this, I wish he may receive no other badges of royal favour from his majesty, nor greater reward or honour from the houses than I have done, and then I believe he will no more causelessly asperse or suspect me for being now a royal favourite, or apostate from the public cause.—True it is, which it behoves now to touch, that about 4 years since, I published a Book, intitled, 'The Royal Popish Favourite;' wherein, as likewise in my 'Hidden Works of Darkness brought to public Light,' published a year after it, I did, with no little labour and expence, discover to the world the several plots and proceedings of the Jesuits, Papists, and their foreign and domestic confederates, to introduce and set up Popery throughout England, Scotland, and Ireland; and how far they had inveigled the king not only to connive at, but to countenance and assist them in a great measure, more fully and evidently than any else had done. And those worthy members of this house who drew up that Declaration, whereupon they voted no more Addresses to the King, plowed but with my heifer, borrowing all or most of their real materials from my writings: a convincing evidence that I am yet no more a royal favourite than themselves. Yet this I must add withal, to take off that aspersion of being an apostate from my first principles, that I never published those Books, as I then professed in them, and now again protest, to scandalize or defame the king, or alienate the people's affections from him; much less to depose or lay him quite aside; though I am clear of opinion, that kings are accountable for their actions to their parliaments and whole kingdoms; and in case of absolute necessity, where religion, laws, liberties, and their kingdoms will else be inevitably destroyed by their tyrannical and flagitious practices, be deposed by them, if there be no special oaths nor obligations upon their consciences to the contrary; which is our present case: much less did I it out of any malice or revenge for the injustice I received from him in the executions done upon my person and estate, which I have long since cordially forgiven, and do now again forgive him from my soul, beseeching God to forgive him likewise; but merely to discover his former errors in this kind unto himself, that he might seriously repent of them for the present, and more carefully avoid and detest them for time to come; and that the parliament and whole kingdom might more clearly discern the great danger our Religion was in, before we publickly discerned it, and the several ways and stratagems by which Popery got such head and growth among us, that they might thereby

* See vol. ii. p. 781.

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the better prevent the like plots and dangers for the future by wholesome laws and edicts, as I have more largely declared in the Books themselves.—This grand prejudice against me being thus removed, I proceed to the second, to wit, That I am an enemy to the Army; and therefore what I shall speak, may be interpreted to proceed only from opposition against them and their Remonstrance, concerning which I freely uttered my sudden thoughts immediately after its reading in the house. To this I answer, That I have always been a real friend and well-wisher to this Army from their first modelling till now, in whatever they have acted in their sphere, as soldiers, for the public safety. When they were first formed into a body, the Committee of Accounts, whereof I was a member, and those they engaged, advanced about 30,000*l.* of the fourscore thousand, to set them out. Since that, I have freely contributed towards their Pay; prayed constantly for their good success; joined in all public Thanksgivings for the Victories obtained by them; made honourable mention of them and their heroic actions in some of my writings; and particularly dedicated one Book, I since compiled, to the General himself, as I had done former Books to others of your generals, for to do him all the honour that possibly I could for his renowned actions. Besides, I have lately signed warrants to get in their Arrears, and promoted an Ordinance for that purpose all I could, since my entrance into this house. All which considered, with this addition, that some of them have been my antient intimate friends, and never did me the least injury, I hope no member can be so partial, as to repute me such a professed enemy to them, as, in this grand debate, to go against my judgment or conscience in opposition only unto their Desires. True it is, when the Army have forgot their duty, or offered any violence to the Privileges, members, freedom, or proceedings of parliament, or endeavoured to engage them to break their public faith to the king or kingdom, in breaking off the Treaty, contrary to their Votes and Engagement, or to infringe their Solemn League and Covenant, or to inforce them to subvert the fundamental government, laws, and liberties of the kingdom, or the very freedom and being of parliament, as they have done in their late Remonstrance and Declaration, and some other printed papers since and heretofore, I have then, in discharge of my Covenant, conscience, and duty, opposed, and spoken against these their exorbitances, as much as any; not out of malice, but only out of love, to reclaim them from their evil destructive courses and councils, according to God's own precept, Leviticus xix. 17. 'Thou 'shall not hate thy brother in thy heart; 'but shall in any-wise rebuke thy neighbour, 'and not suffer sin upon him.' And seeing I have always, with like freedom, opposed and written against the exorbitances and errors of the king, court, prelates, parliament, committees, presbyterians, independents, lawyers, and all other sorts of men in reference to the public good, the Army and their friends have no cause at all to censure me as their enemy; but rather to esteem me as their friend, for using the like freedom towards them, and their exorbitances, especially in this house.

"Having removed these two Prejudices, I shall now address myself to the Question in Debate, which hath been thus propounded: 'Whether the King's Answers to the Propo-'sitions of both houses, taken altogether upon 'the whole Treaty, be satisfactory or unsatis-'factory?' This being an equivocal question, not hitherto clearly stated and debated by those who have spoken to it, most of them being much mistaken in it, I must crave leave to give you the true state of it, before I shall debate it; for which purpose I must distinguish in what sense it is not satisfactory to any in this house, and yet in what respect it will appear satisfactory to all or most of us who are not blinded with passion or prejudice against the king, or misled by affection merely to please the Army; which many have made their principal argument wherefore it is not satisfactory.—If the question be propounded and intended in this sense, Whether the King's Answers to all the Propositions be satisfactory? that is, Whether the king hath granted all the Propositions sent unto him in as large and ample manner as both houses did propound them? then it is certain his Answers are not satisfactory in that which concerns Delinquents, Bishops, and Bishops Lands, and the Covenant, though they are voted satisfactory as to all the rest by both houses. And, in this sense only, those who have concluded them not satisfactory, have stated and disputed the question. But this, under favour, neither is nor can be the state or sense of the Question, for these reasons: 1. Because these Propositions were sent by the houses to the king, not as Bills of parliament, to be granted *in terminis*, without debate or alteration; but only as Propositions to be debated and treated upon personally with the king, as the Votes of both houses, and Instructions to the Commissioners sent to the Isle of Wight, resolve past all dispute. Now it is directly contrary to the nature of all Treaties, especially such as are personal, to tie up the parties of either side so precisely that they shall have no liberty to vary from their first Proposals in any particular; or if they condescend not to whatever was at first demanded by the stronger party, that the condescensions should not be satisfactory, though they yield to all just things, and fall short only in some few of least concernment. This is evident by all Treaties heretofore between England, France, Spain, and other foreign nations, if you peruse their first Demands, which were never condescended to, but always receded from and qualified in some particulars on either side; *iniquum petas, ut justum feras*, being a rule in Treaties among statesmen. There have been many treaties during these

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wars, between the officers of the parliament and the king's party, about surrenders of divers cities and garrisons, wherein the first Propositions on either side have been moderated or changed, and yet agreed and accepted at last as satisfactory to both sides. In all ordinary treaties concerning marriages, purchases, and ordinary bargains in fairs, markets, or shops, there are usually greater sums of money demanded at first on the one, and less proffered on the other side than is accepted and given at last; and yet both parties close, agree, and are well satisfied: so may we do now with the king upon the whole Treaty, though the king grants not fully all that we at first proposed. 2. Because the houses have already voted the King's Concessions of the Great Offices of England and Ireland to be at their disposal for twenty years, to be satisfactory, though their demand was for perpetuity; which they would not have done, had the satisfactoriness of the king's Answers depended upon the full concession of that Proposition as amply as it is penned. 3. Because the houses in their last Propositions demand far more than ever they did in most former Treaties, and the king hath granted them more now in this than they have demanded heretofore; and therefore having granted more than what would have fully satisfied them in former Treaties, his concessions in this may be fully satisfactory to us, so far as to close with him, to settle a firm Peace in the kingdom, now at the brink of ruin, though they fall short in some things which we now propounded, which do not so much concern our Security, as I shall prove anon. The true state then and sense of this Question must be this and no other: 'Whether the king's final Answers to 'the Propositions of both houses in this Trea-'ty, considered and weighed all together, be 'not so full and satisfactory in themselves, 'that this house may and ought to accept of 'and proceed upon them for the speedy set-'tlement of a safe and well-grounded Peace, 'both in Church and Commonwealth, rather 'than reject them as unsatisfactory, and so 'hazard the loss of all and the perpetuating 'of our wars and miseries?' In this sense I humbly conceive and hope to evidence them so clearly and fully satisfactory, that we can neither, in point of duty, prudence, justice, honour or conscience, reject them as unsatisfactory, but ought to embrace them as the only safe and ready way to our Peace and Settlement, though they come not up so fully to some of our Propositions, as I could have heartily desired for the avoiding of this hazardous debate.—For my clearer progress in this grand debate, I shall observe this method: 1. I shall clearly manifest, That the king, in this Treaty, hath granted us whatsoever we can well desire for the present Settlement and future security of the commonwealth or state, when ratified by acts and a regal oath, as is intended; yea, far more than ever our ancestors, or any subjects in the Christian world, enjoyed or desired of their kings, for their security and preservation against their armed power, or legal Prerogatives. 2. That the king hath granted as much, in this Treaty, as will settle and secure the Peace and Government of our Church and Religion against Popery and Prelacy on the one hand, and profaneness on the other hand; and more than we or any Protestant churches ever enjoyed, or demanded heretofore, for their security and settlement. When I have made good these particulars, and answered the Objections made against them, I hope every one of us, who have any ingenuity, reason, or conscience in their breasts, and are not transported with passion, or private engagements to the contrary, will, and must of necessity, vote these Answers satisfactory in the sense forestated.

"I shall begin with the first of these, namely, The King's Answers to all those Propositions which concern the present Settlement and future Security of the State and Republic, against any armed force or invasions of the regal prerogative, to the enslaving or prejudicing of the subject; which, in my poor judgment, are so full and satisfactory, that little or nothing can be added to them; and if we well consider them we have cause to say, '*O fortunati nimium bona si sua norint.*' I shall give you a full view of them all, because many of them have not been so much as once remembered in this debate, and apply them to our present Settlement and future Safety, as I mention them.—The first Proposition, for the Settlement of a safe and well-grounded Peace, is that which concerns the justification of the parliament's war, declaring it by an act of parliament to be passed, to be in their just and lawful defence; justifying the Solemn League and Covenant in prosecution thereof; and repealing all Oaths, Declarations and Proclamations heretofore had, or hereafter to be had, against both or either houses of parliament, their ordinances, or proceedings; or against any for adhering unto, or executing any office, place, or charge under them; and all judgments, indictments, outlawries, attainders, and inquisitions in any of the said causes; and all grants thereupon made, had, or to be made or had, to be declared null, suppressed, forbidden, and never put into execution: and this to be published in all parish churches, and all other places needful, within his majesty's dominions.—To this proemial and advantageous Proposition, the king hath full and readily condescended at first, in every tittle, as was desired. By this concession the parliament hath gained sundry considerable advantages, tending to their present honour and future security. 1. A full, public, acknowledgment of the justness of their war and cause, to be ratified and perpetuated to posterity by the highest record that can be, an act of parliament; and that to be read in all parish churches throughout England, Ireland, and other the king's dominions; and proclaimed in all counties, cities, corporations, and at assizes and sessions of the peace, that

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so all men may take public notice of it; which is such an honour to, and justification of, them and their cause, as was never condescended to by any king, that took up arms against his subjects, since the creation to this present; and so low a humiliation and legal disclaimer, in the king, of his war against the parliament and disavowal of his cause and party, as could possibly be imagined or expected. 2. It secures the lives, liberties, and estates of all the members of both houses engaged in these wars; and of all persons whatsoever that have adhered to, or acted for them, against all former, present, and future impeachments, prosecutions, and judgments whatsoever; and makes void and null whatever hath been, is, or may be objected against them; which, coupled with the Act of Indemnity and Oblivion, proposed by the king and agreed to by the houses, will extraordinarily secure, pacify, and content all well-affected members and persons who have adhered to them in this cause, and preserve them from the danger of 25 Ed. III. and other laws concerning Treasons; which otherwise, upon any revolution of times and affairs, might, by corrupt judges and instruments, be extended and wrested to their prejudice and undoing. 3. It lays a foundation for the lawfulness of a defensive war by authority of both houses, upon the like occasion, in all future ages, without incurring the guilt of Treason or Rebellion; which will be a great encouragement and security to the subjects, and engagement to them to adhere unto the parliament in after times. 4. It will very much discourage and deter all kind of men from taking up arms in the king's, his heirs and successors, behalf, against the houses of parliament, when they shall cast their eyes upon this act, and behold the king himself passing such a censure upon all his own proceedings, and retracting his own oaths, proclamations, commissions, indictments, and grants, against such members and all others who have now taken up arms against him, for the houses and kingdom's defence.—So as this very first Proposition only, if well weighed, without any others added thereunto, being so fully and freely consented unto by the king, tends very far towards our present Settlement and future safety; being more than was ever thought of or desired in the Treaty of Peace, in Feb. and March 1642.

"The Second Proposition fully granted by the king, for the settling and security of the state, and religion too, against the king's armed power, is the settling of the whole Militia by sea and land, and Navy of England, Ireland, and the Isles and dominions thereunto belonging, by act of parliament, in the hands and disposal of both houses, and such as they shall appoint, for the space of 20 years; with power to raise monies for all forces raised by them for land or sea service, during that space of time; which forces are authorized to suppress all forces raised, or to be raised in, or any foreign forces which shall invade, the realms of, England, Ireland, or the dominions and Isles thereunto belonging, without authority and consent of the lords and commons in parliament. And it further provides, That after the expiration of the said 20 years, neither the king, his heirs or successors, nor any person or persons, by colour or pretence of any commission, power, deputation, or authority to be derived from the king, his heirs or successors, or any of them, shall raise, array, train, employ, or dispose of any of the forces by sea or land of the kingdoms of England and Ireland, the dominion of Wales, Isles of Guernsey and Jersey, or of Berwick upon Tweed; nor execute any power or authority touching the same, invested in the two houses during the space of 20 years; nor do any act or thing concerning the execution thereof, without the consent of the lords and commons first had and obtained. And that after the expiration of the said 20 years, in all cases wherein the lords and commons shall declare the Safety of the Kingdom to be concerned, and shall thereupon pass any Bill for the raising, arming, training, and disposing of the Forces by sea and land of the kingdoms, dominions, Isles, and places aforesaid, or concerning the levying of monies for the same, if the king, his heirs or successors, shall not give the royal assent thereto, within such time as both houses should think convenient, that then such Bill or Bills, after declaration made by the lords and commons in that behalf, shall have the force and strength of an act or acts of Parliament, and be as valid, to all intents and purposes, as if the royal assent had been given thereunto. After which it disables any sheriff, justice of the peace, mayors, or other officers of justice, to levy, conduct, or employ any forces whatsoever, by colour or pretence of any Commission of Array, or extraordinary command from the king, his heirs or successors, without consent of both houses: and concludes, That if any persons, to the number of 30 shall be gathered together in warlike manner, or otherwise, and not forthwith disband themselves, being thereunto required by the lords and commons, or command from them, or any other specially authorized by them, that then such person or persons, not so disbanding, shall be guilty and incur the pains of High Treason; any commission under the Great Seal, or other warrant to the contrary notwithstanding, and be incapable of any Pardon from his majesty, his heirs and successors, and their estates disposed of as the lords and commons shall think fit.—To all this new, grand, principal Security of our present and future Peace and Settlement, the king hath given his full and free consent *in terminis*. And what greater Security than this we can imagine or demand against the king's armed power and sword of war, transcends my capacity to imagine: Therefore, if we have not lost both our brains and consciences too, we cannot but vote and conclude it satisfactory, and rest abundantly contented with, yea exceeding thankful for, it; and that upon all these

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ensuing considerations: 1. Both houses, in their Treaty with the king in Feb. and March 1642, demanded only the Militia of England, not of Ireland; yet so, as they did 'leave the 'Nomination and Disposition of the chief com-'manders, officers and governors of the Militia, 'Forts and Navy of the kingdom, to the king; 'provided only they might be such persons of ho-'nour and trust as both houses might confide in; 'and likewise promise restitution of all Monies, 'Forts, Garrisons, Arms, and Ammunition of the 'king, which they had seized upon, or to give him 'present satisfaction for the same; which being 'granted and performed, they professed it should 'be their hopeful endeavour that his majesty and 'his people might enjoy the blessing of Peace, '&c. to be derived to him and to his royal poste-'rity, and the future generations in this king-'dom, for ever.' Whereas, in this Treaty, the king denudeth himself of the Militia of England and Ireland too, and of the nomination and approbation of all officers, commanders, governors of the Militia, or forces by sea or land; and leaves all the Forts, Navy, and Magazines to the houses disposal only, without any Compensation for his Magazines or Arms formerly seized by them. And if far less was deemed sufficient for our Settlement and Security then, much more will all this be thought so now. 2. Because the king hath wholly stript himself, his heirs and successors for ever, of all that power and interest which his predecessors always enjoyed in the Militia, Forces, Forts, Navy, not only of England, but Ireland, Wales, Jersey, Guernsey, and Berwick too, so as he and they can neither raise nor arm one man, nor introduce any foreign forces into any of them, by virtue of any commission, deputation, or authority, without consent of both houses of parliament; and hath vested the sole power and disposal of the Militia, Forts, and Navy of all these in both houses, in such ample manner, that they shall never part with it to any king of England, unless they please themselves: so as the king and his heirs have no military power or authority at all left, to injure or oppress the meanest subject, much less the whole kingdom, or houses of parliament, had they wills to do it; and the houses having all the Militia by land and sea, not only of England, but even of Ireland, Wales, Guernsey, Jersey, and Berwick, to assist and secure them, in case he or his heirs should attempt to raise any domestic, or introduce any foreign force, against them, is so grand, so firm a Security, in all human probability, for insuring and preserving of our peace, religion, laws, liberties, lives, and estates, against regal force and tyranny, that none of our ancestors ever demanded or enjoyed the like, nor no other kingdom whatsoever, since the creation, for ought that I can find in Histories or Republics, who have perused most now extant to do you service; and such a self-denying condescension in the king to his people, in this particular, as no age can yield a precedent.—In the 16th year of king John, the Barons having, by force of arms, compelled him to confirm the Great Charter* at Runningmead, near Windsor, thought this their greatest Security, that 25 of the eminentest Barons should be made Conservators of Magna Charta, and that all the rest of the barons and people should take an Oath to be aiding and assisting to them in the preservation thereof; and the king should surrender into their hands his four principal Castles, that so, if he infringed this Charter, they might compel him to observe it. This was the highest Militia and Security of that kind our ancestors ever demanded or enjoyed, (which is nothing comparable unto that now granted us by the king) who rested satisfied therewith. 3. Because the king and his successors are hereby not only totally disabled to raise any Forces to oppress the people, or disturb their Peace and Settlement, but all persons discouraged from aiding or assisting them by any commission or authority whatsoever, under pain of High Treason, and loss both of life and estate, at the pleasure of both houses, without any benefit of pardon from the king, disabled for to grant it. So great a discouragement for any persons of fortune or quality, to appear for the king or his party in the field, for time to come, that, in all human probability, none ever will or dare appear in arms hereafter for the king, against the parliament, being sure to forfeit all without any hopes of Pardon. And if this act had been passed as a law before our wars, I dare presume not any one English lord or gentleman durst once to have appeared in the field for the king, and we had never felt the miseries of a Civil War. 4. Because the Militia of Ireland, Jersey, Guernsey, and Wales as well as England, is wholly transferred from the king to the houses; so as we need fear no danger thence: and the Militia of Scotland being in the parliament's disposal, if we hold a brotherly correspondency with them, I know no other enemies we need to fear; for the Navy being in the houses power, we need not fear any foreign invasion that can hurt us, if we can agree at home.

"All which considered, I dare assert, we have now the greatest Security of any people under Heaven, against all armed regal force or power; the king having given up all his Military Power, into the houses actual possession, and resigned his sword and arms into their hands. And if we refuse to accept it, now he so freely resigns it, we may fight till Doomsday, but never win nor hope for the like Security or Advantage; yea the present age and all posterity will curse and abhor us, for not embracing and resting satisfied with such an unparalleled Security.—But is this all the Security the king hath granted us in this Treaty? No, verily, there is yet much more behind which hath not yet been opened. The kings of England have always held two Swords in their hands; which, when ill managed, have hurt and destroyed their subjects: the first is

* See vol. i. p. 9.

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the Sword of Mars in times of war, which is already sheathed, and resigned into the houses hands by the precedent concessions, so as it can never wound them more: the other is the Sword of Justice, in times of peace; and this likewise the king hath wholly given up into the houses power, for 20 years, as he hath the Militia; so that it can never hurt them, nor any Englishman or other subject hereafter, at least for 20 years.—This Sword was formerly intrusted by the king in the Judges and the great officers hands; had they been so courageous, so upright as they should, the king could never have wounded or ruined the meanest of his subjects with this Sword. Ship-money, Knighthood, with other Grievances and Monopolies, neither would nor could have been imposed on the people by the king's prerogative or power, had the Judges, according to law and duty, declared them illegal. The king can do no injustice to any, if his Judges be so just and stout as to do justice. Whereupon this house impeached only the Judges, not blaming the king for the project of Ship-money, to which their Opinions in Mr. Hampden's Case, gave life and vigor. Now the king, in this Treaty, hath for 20 years at least, granted to both houses the nomination and appointment of all the great Officers, Civil or Military, and of all the Judges and Barons of his Courts and Exchequers within England and Ireland, to continue in their places only *quam diu bene se gesserint*. So as these great Officers and Judges having now no dependance at all upon the king, who can neither place nor displace any of them, but wholly upon the houses of parliament, and such as they shall appoint to nominate them in the intervals of parliament; if the houses have a care to make good Officers and Judges in all courts at first, and to displace and punish them, as they may and ought to do, when they degenerate or misdemean themselves, the king, with all his legal power now left him, can neither injure nor oppress the poorest subject in body, goods, or estate, nor protect the greatest malefactor from Justice. And what more can we desire or expect for the Security of our Lives, Liberties, or Estates than this?—Besides, as the king hath intrusted you with the Sword and Courts of Justice and Revenue, so hath he with his conscience and Courts of Equity too: you have the nomination of the lord-chancellors, lord-keepers, and commissioners of his great seals of England and Ireland, of the chancellors of the exchequer and duchy, and masters of the rolls, as well in Ireland as England, who are the Dispensers of his Equity and Conscience to his subjects; the issuers of all his commissions, writs, patents; and Keepers of all his public Records. If this be not enough, you have the disposal of his Purse and Treasure too; the Nomination of the lord treasurers, both of England and Ireland; of the chancellors and barons of the Exchequers in both, and of the vice-treasurer and treasurer of the Wars in Ireland: would you have yet more? You have the nomination of the lord-deputy and chief governor of Ireland, and of all the presidents of the several provinces of that kingdom for 20 years; and of all other the beforenamed great Officers, Judges, and treasurers there; a great strength and real addition to the Militia of that kingdom, which can never do us harm, if we accept of these Concessions, which invest us in such power there, as no parliament of England ever yet expected nor laid claim to. What is there yet remaining for your Safety? perchance you will suspect the king may have many secret designs and intercourses with foreign enemies and states, and grand Malignants at home, to undo all, which we shall never discover without some further provisions than yet we have made. Truly no; you have a Remedy already provided and granted for this: the nomination and appointing of the Lord-Warden of the Cinque Ports, the principal gates to let in, or keep out, foreign enemies or spies; and of the Secretaries of State, who will be privy to all his majesty's secrets and transactions of public concernment; receive all Letters of Intelligence directed to him, and most commonly return all Answers to them. There is now but one thing more wanting to make this Security compleat and firm, the king's Great Seals of England and Ireland, the greatest regal assurance and confirmation he can give you: and of these you have both the custody and disposal, having the Nomination and Appointment both of the Lord-Chancellors, Lord-Keepers, and Commissioners of the Great Seal in England and Ireland. To sum up all these Grants together: some parliaments, in former times, have had the Nomination of the Lord-Chancellor, some of the Lord-Treasurer, some of the Great Justiciar, or some few Judges of England only; but never any parliament of England claimed, or enjoyed, the nomination and appointment of any of the great Officers, Barons, Judges, or Treasurers places in Ireland, nor yet of the Lord-Warden of the Cinque Ports, chancellors of the exchequer and duchy, secretaries of state, master of the rolls, or barons of the exchequer of England; and yet all these the king, for peace sake, hath parted with to us; and shall we be yet so froward and peevish, as not to be satisfied with all these offices? We have a long time mocked and abused the world with a Self-denying Ordinance*, disabling any Member to retain or receive any Civil or Military Office by grant from the houses, whilst he continues a member, though there is scarce one day, or week at least, doth pass, but we are still bestowing some place or office upon members, for which we are weekly censured and reviled in printed pamphlets, and are become odious to the kingdom: but here is a Self-denying Act and Ordinance in good

* This Ordinance first took its rise from a motion made in the house of commons by lieutenant-general Cromwell. The debate thereupon will be found at page 350.

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earnest, in the king, in parting with so many Offices (of which he and his predecessors have had the sole disposal for some ages without interruption) to the houses; and shall we not yet rest satisfied? if not, what will the whole kingdom, what will all foreign kingdoms and nations, report of us, but that we are so foolish, so unreasonable, that nothing can or will content us, because we are resolved not to be content with any thing that the king shall grant us, be it ever so advantageous for our present or future Safety and Settlement? but seeing we have the disposal of all these officers in England and Ireland, both military and civil, of his Sword of war and peace, his Justice, his Conscience, his Purse, his Treasury, his Papers, his public Records, his Cabinet, his Great Seal, more than ever we at first expected or desired, I must really, for my own part, profess myself abundantly satisfied with these Concessions, and so must every one who hath so much judgment as to understand the latitude and consequences of them for the whole kingdom's and dying Ireland's Safety and Settlement, especially at this season when they are so near their ruin.

"To this I shall add another Grant of great concernment for the Peace and Safety of this nation which the king hath fully consented to in this Treaty; and I presume no member of this house will rest unsatisfied therewith, when he fully understands it.—Both houses of parliament, upon the Lord Keeper Littleton's deserting of the house,* and conveying away the Great Seal, were pleased, for the better distribution of Justice, and transaction of the great affairs of the realm, to appoint a new Great Seal to be made; the Ordinance for its approbation and use sticking long in the Lords House, who were somewhat doubtful in point of law, I thereupon compiled and published a Treatise, intitled, 'The Opening of the Great Seal of England,' which fully satisfied them, and opened the doors to let it out for public use; though some who have had the custody of it, as you, Mr. Speaker, know, have but ill requited me for this my pains and good Service. Many Grants, Commissions, Presentations, Writs, Process, Proceedings, and other things, have passed under this Great Seal, and some Patents for Offices and Bishops Lands to Members of this house, who differ in opinion from me, and yet would be glad to have their Patents confirmed by an Act of Paliament: the King, in this Treaty hath not only consented to ratify all the Grants, &c. that have passed under this new Great Seal, by Act of Parliament, and to enact them to be as effectual, to all intents and purposes, as if they had passed under any other Great Seal of England heretofore used; but to continue it to be used hereafter for the Great Seal of England: and hath likewise so far disclaimed his old great seal, from the day it was carried from the parliament, that he is content to make and declare all grants, commissions, presentations, writs, process, proceedings, and other things whatsoever, passed under or by any authority of any other great seal, since the 22d of May 1642, to be invalid and of no effect, to all intents and purposes, except one grant to Mr. Justice Bacon to be Judge of the King's Bench, and some other writs, process, and commissions mentioned in that Proposition: and he hath further yielded, That all grants of offices, lands, and tenements, or hereditaments, made or passed under the Great Seal of Ireland, unto any person or persons, or body politic, since the Cessation in Ireland, the 15th Sept. 1642, shall be null and void, with all Honours and Titles conferred on any person and persons in that realm since that Cessation.—By this Concession the houses of parliament, and their adherents, have gained these extraordinary Advantages, most of them not to be paralleled in any age or king, from Adam to this present. 1. An Acknowledgment of both houses authority to make and use a new Great Seal of England, without the king, in cases of extraordinary necessity; 2. A power in the houses to null and void the king's usual Great Seal upon the making of their new, and conveying the old seal from the houses without their consent; 3. A Ratification of all judicial and ministerial acts, writs, process, presentations, grants, decrees, commissions, and other things which have passed under the new Great Seal, since its making till this present; which tends much to the quiet and settlement of many men's estates; to the confirmation and justification of all legal proceedings in all courts of Justice, and at all assizes and sessions of peace, held by virtue of commissions under this seal, and of Justices appointed by it (whose authority and proceedings might else hereafter prove disputable, and be drawn into question); and to the right constitution of the parliament itself, many members of this house being elected, and some members and assistants of the lords house being called thither, by writs under this new Seal; 4. An absolute disavowal and repeal of all Commissions whatsoever, or other things passed under the old Great Seal, against the parliament or its proceedings; and an exposing of all those of the King's party, who have acted any thing by any commission or authority under that Seal against the parliament, to public justice, who cannot plead it in bar or excuse in any court, after it shall be nulled and repealed by an act; 5. A great disparagement, dishonour, and disadvantage to the English Cavaliers, Irish Rebels, and their cause and proceedings; with a future disengaging of them, and all their party, from the king and his interest, who hath so far dishonoured, deserted, and disclaimed them, as thus to null and repeal all honours, titles, grants of offices, lands, or tenements bestowed on any of them, for any services done, or assistance given by them, to the king in his wars against the

* For the manner of the Lord-Keeper's leaving the Parliament, and his Reasons for so doing, see vol. ii. p. 1270.

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parliament: a very high point of humiliation and self-denial in the king, and such a blow to his popish and Malignant party, that I dare presume they will never engage in his behalf, nor trust him for the future; which will much conduce to the Settlement of a firm and lasting Peace, and prevent new wars, if accepted of; 6. Indemnity and Security for all the commissioners of the new Great Seal, against all Scruples which may arise upon the statute of 25 Edward III. for using and sealing with it, if ever the Times alter; which every prudent man will readily embrace, where it freely offered, and not peevishly reject, in such an age of danger and incertainty as this, in which no man is secure of his life, liberty or estate on either side.

"The next Concession of the king in this Treaty is this, 'That, by act of parliament, all 'peers made since Edward lord Littleton de-'serted the parliament, and conveyed away 'the Great Seal on the 21st of May, 1642, 'shall be unpeered and set by; and all other 'Titles of Honour and Precedency, as lord-'ship, knighthood, and the like, conferred on 'any without consent of both houses of par-'liament, since the 20th of May, 1642, shall 'be revoked, and declared null and void, to 'all intents, and never hereafter put in use; 'and that no peer who shall be hereafter 'made by the king, his heirs or successors, 'shall sit or vote in the parliament of England, 'without consent of both houses of parlia-'ment.' This Concession of the king's is of great concernment to the kingdom, and I conceive, without precedent or example in any age or king in the Christian world: 1. It secures us from our formerly feared danger of a design in the king, by new created peers, to make an over-ruling party, at any time, in the lords house, wherein the judicatory of the parliament principally consists; which danger and inconvenience, by secluding the Bishops out of that house by an act already passed, and by this disabling all new peers hereafter to be made to sit in that house, without consent of both houses, is for ever totally prevented: 2. It gives such an extraordinary new power to the house of commons, as they never formerly enjoyed or pretended to, to wit, That no Peer created by the king himself, or by the king or lords in parliament, (who usually created peers in parliament without the commons privity or consent in former times) shall be henceforth enabled to sit or vote as peers of parliament, but by consent of the house of commons as well as of the king and lords: by which provision the commons are made not only, in some sense, the judges of peers themselves, (which they could not try or judge before by the express letter of Magna Charta, and the Common Law) but even their very creators too: 3. It puts an extraordinary prejudice and blemish on the king's Cause, and an extreme dishonour, dissatisfaction, and disparagement upon his own party, than which a greater cannot be imagined: for what higher affront and disgrace could the king put upon those nobles, gentlemen, and others, who have spent their estates, lost their blood and limbs, and adventured their very lives, in his cause against the parliament, and received no other reward but an empty Title of Honour, (perchance a knightship, a lordship, or the bare title of a marquis, earl, or viscount which they have enjoyed but a year or two, with little benefit and less content) to be thus (by act of parliament with the king's own royal assent, who conferred those Titles on them for their gallant services in his behalf) suddenly degraded and divested of them all, as if they had never been? A perpetual brand to them and their posterity, who must be enforced to give place to such of whom they had precedency and place by virtue of these dignities: which high affront and scorn, I am verily persuaded, will pierce and break many of their own, at least their ladies, hearts, and for ever disoblige them in the highest degree: 4. It will make all the antient and new nobility and peers of England less dependent on the king, and less complying to serve his ends upon all occasions; being never able to gratify or reward them, though ever so ambitious, with any new honours or peerships, without consent of both houses of parliament; whom they dare not displease or disoblige, for fear of crossing them in their desired dignities and titles, as well as in their great offices, which are both now in their disposal, not in the king's alone.—In brief: the king, in this Concession, hath manifested the greatest humiliation and self-denial that any king, since there was a kingdom in the world, hath done. It is and hath been the antient and undoubted prerogative of all kings in the world, but especially of the kings of England to confer Honours and Dignities of all sorts, especially knighthood, on whom they shall think meet, and more principally on those who have merited it by their gallantry in the field, as Mr. Selden proves at large in his 'Titles of Honour,' and others who have written on that subject. Now for the king, out of a desire only of a happy Peace and Settlement, not only to part with much of the royal prerogative, which all other kings in the word enjoy, for the future; but to repeal the Honours and Titles conferred by him on his adherents, for reward of their services in times past, during all these wars, is such a miracle and high degree of self-denial, as no age hath produced the like; and that which most of this house, had the king prevailed, would have rather lost their lives (had they conferred any such titles on their generals and commanders) than have condescended to, had the king required it; and therefore I cannot agree with those over-censorious gentlemen, who so oft inculcate this, That they can see no humiliation at all or change of heart in the king, when I find so great a change and deep a humiliation in him in this, and all other aforementioned two Concessions, without any or little hesitation; and I heartily wish their own hearts were as much

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humbled as his, and then I doubt not but they would thankfully embrace, and rest fully satisfied with, his Concessions for their own and the kingdom's benefit.

"The next Proposition, tending to the Peace and Settlement of the Kingdom, is this, That the King do give his royal assent to such Act or Acts for the raising of Monies for the payment and satisfying of the public Debts and Damages of the kingdom, and other public uses, as shall hereafter be agreed on by both houses; and if the king do not give his assent thereto, then it being done by both houses, the same shall be as valid, to all intents and purposes, as if the royal assent had been given thereunto. To this Proposition the king hath condescended, so as those Acts be passed within 2 years after the Treaty ended; which the houses have voted to be satisfactory. This Proposition secures all Monies lent upon the public faith; all Arrears due to officers and soldiers; yea, all monies advanced by any who have purchased Bishops Lands, for their losses by reversions after 99 years, or any present rents, to be reserved to the crown for the use of the Church, (with which those members who have purchased such lands, or advanced monies upon them, declare themselves most unsatisfied) and all those who have sustained public losses: yea, if the king denies his royal assent thereto, it enables both houses to make a valid act of parliament without the king in this case, and in the case of the Militia likewise; which was never challenged by, nor granted to, both houses in any king's reign before; and takes away the king's negative voice as to these particulars, which those, who conclude the king's Answers unsatisfactory, have so much contended for; yet now stand in their own light, in not accepting of these Concessions as satisfactory, which strike at the negative voice.

"The next Concession of the king's for the Settlement of the state, is the taking away of the Court of Wards, and of all Wardships and Tenures in capite, or by Knights Service, which draw on wardships, primier seisins, liveries, and such like incumbrances, to the intolerable vassalage and prejudice of the nobility and gentry of England, and great landed persons; and that only upon giving the king and his successors 100,000*l.* yearly for compensation, being one principal part of his royal revenue. This Concession is of so vast consequence to the kingdom, to enfranchise the subjects from the Norman yoke of bondage (as some stile Wardships and Tenures in capite, though others deem them more ancient than William the Conqueror) that our ancestors never enjoyed the like: it exempts men's heirs under age, and their estates, from being made a prey to hungry courtiers, or committees, over-reaching them and their estates: it exempts them from being married to any against their free consents, without any single or double forfeiture of the values of their marriages, to which they were formerly liable; from marriages to persons of small, or none, or broken fortunes, and different dispositions, which have ruined many families; from many chargeable suits, expences, and excessive fees and gratuities to escheators, feodaries, and all sorts of griping officers in the Court of Wards; and from vast expences and extraordinary vexation in finding and traversing offices, suing out liveries, &c. and many suits and questions arising thereupon, which have undone too many: and it deprives the king of such an over-awing prerogative over the persons and estates of the nobility and gentry, which usualy fell into his custody after every tenant's decease, as will very much weaken his interest in, and their over-much dependance on him; and make them less subject to engage for or with him against the parliament's or kingdom's common interest.

"The next Proposition relating to the kingdom's Safety and Settlement, not so immediately and directly as any of the former, is that which concerns Delinquents, in which alone, as to the state, the king's Answers are pretended unsatisfactory; not in all, but only in some particulars, of no extraordinary concernment, in my apprehension, though so much insisted on by many, as to vote all the Treaty unsatisfactory. In opening the state of the king's Answers to this Proposition, I shall do these three things: 1. I shall shew how far the king and you are both agreed; 2. In what particulars you really or seemingly differ; 3. I shall examine whether these differences herein be of any such moment, as to induce the house to vote the Answers to this and the other Propositions upon the whole Treaty unsatisfactory; and so reject and lose whatever the king hath granted in the rest, because he hath not satisfied our demands in this one, and two others concerning the Church.—For the *First*, Both houses, by their Votes, have thought this Proposition touching Delinquents so needless to to be insisted on, in every punctilio, for the Public Settlement, which will certainly more obstruct than promote it, mercy and moderation being the nearest way to peace and union) that you have reduced, since the Treaty, the persons excepted in the first Qualification both from life and composition, from 37 to 7 only; 6 of those are beyond the seas quite out of your power*, the seventh, aged, scarce worth your execution†. The king consents that they should be banished during the pleasure of both houses, which is a civil death; banishment being, next to death, the severest punishment, and, to some men, more grievous than present execution: but if that will not satisfy, then he leaves them wholly to your justice, to proceed against them, if you please, according to law; and promiseth 'not to in-

* The Marquis of Newcastle, lord Digby sir Marmaduke Langdale, sir R. Greenville, sir Francis Doddington, and sir John Byron.

† David Jenkins, esq. one of the Welsh Judges.

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'terpose nor pardon any of them if legally 'condemned;' only he adds, ex abundanti, 'That he cannot, in justice or honour, assent 'to any act to take away their lives by a mere 'legislative power, ex post facto,' if they have done nothing that was formerly capital by the known laws of the land, by which he leaves them to be tried. This Answer many gentlemen, who have spoken, have concluded very unsatisfactory, and made many large descants on it, because they did not rightly weigh nor understand it; when as, in truth, it answers the very Proposition in terminis, as I shall clearly manifest to all who understand what law is.—1st, It is apparent, that one of the first quarrels and cause of taking up arms, on our parts, was to bring Delinquents to condign punishment, according to the laws and statutes of the realm, as you have declared to the kingdom in many printed Declarations; and in your Petitions to the king you always desired him to leave Delinquents to the course of justice, not to cut them off by a mere legislative power, when as you could not do it by any known law. 2dly, You have professed to all the world, and to the king and Delinquents themselves, that you have taken up arms to defend and preserve the antient fundamental laws and liberties of the kingdom, and to oppose the introduction of any arbitrary and tyrannical power; yea, yourselves and the Army likewise have declared against all extraordinary proceedings and trials in the lords house to fine or imprison, without any indictment, or legal trial by jury or verdict, according to Magna Charta and the Common Law: therefore your bringing Delinquents to punishment for life and estates, which is the first Branch of this Proposition, must be intended only of a just and legal trial, as yourselves have always professed, not by a new law in the postea: and if so, then the king, in case you will not rest satisfied with the seven excepted persons banishment, is content to leave them to your justice, even for life and estate, according to the known laws of the realm; and will no ways interrupt your proceedings therein, nor pardon them: therefore in this he fully consents to the Proposition.—But it hath been objected, 1st, That the king denies to yield them up to justice, or to have any hand in their prosecution; and therefore his Answer is unsatisfactory: 2dly, That this expression, 'That he can neither in 'justice nor honour consent to any act for to 'take away their lives or estates,' is as high a justification of them, and his own cause, as possible, and contradictory to the first Proposition; and declares the King's heart to be still the same and unchanged.—To which I answer, 1st, Both these are such gross mistakes and inconsequences, that I wonder how any intelligent man can insist upon them: for the king, in positive terms, if you will not accept of their banishment, yields them up to a legal trial, in which himself must be the prosecutor; the indictment being in his name, the prosecution at his suit by his counsel at law, and the witnesses produced on his behalf, as all men know, who understand what belongs to a legal trial. Therefore, to infer from the king's Answer, that he disclaims all prosecution of them, is a direct contradiction and falsehood. 2dly, The king's very condescension to their banishment, and forfeiture of their estates, for adhering to his cause, and putting them upon their legal trial, is an express disavowal of his own cause as just, and an acknowledgment of its badness and illegality; and if the parliament should yield up those, who have acted for and adhered to them, to banishment, confiscation of estate, and a legal trial for their lives, I am certain the objectors themselves would protest that therein they had betrayed their righteous cause, and deserted their best affected friends. 3dly, '*Expressum facit cessare tacitum*;' the king having, in direct terms, justified your cause and war as just, in the first Proposition; acknowledged those persons exempted in this, and treated for, under the very name and notion of Delinquents, to be such, in this very Proposition; and consented to their banishment and loss of estate, cannot, without apparent absurdity, be averred to justify them and their cause in this his Answer, which yields them up to the strictest legal justice, as Delinquents. 4thly, Those words of the king, so much excepted against, used and intended by him only in relation to his regal consent to a new law to condemn them *ex post facto*, where there was no law before, are so far from any exception, that for my part, I should have held him neither just nor honourable had he omitted this expression. For can it be just or honourable for a king to engage men in his service by special commission or command, when there is no known law to make their obedience criminal; and yet afterwards to give his royal assent to a subsequent law to take away their lives, and forfeit their estates, for obeying his own royal commands? suppose we were now in the king's condition and he in ours, and he should press you to consent to a new law to make all those who have acted for you, and by your commissions, in this war, traitors, and to lose their lives and estates for it, when there was no former law to punish them; would you not all give the self same Answer as he doth, that you could neither in honour nor justice, nor yet in point of conscience, consent to such a law? and would not yourselves and all others protest, you had neither justice nor honesty in you, should you be so base and perfidious as to condescend unto it, to betray all those you had engaged and to give them such a requital for their services? would any persons ever after honour, serve, or trust you, should you do it? or could you, or any other, honour, trust, or serve the king in any dubious employment after this, if he should thus unworthily, ex post facto, betray his own party now? This Answer therefore of his clearly discovers to us, that there is yet so much justice and honour in him, as for no fear or danger to consent to such an unjust and unworthy

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act, as by a new law to cut off the heads of those himself engaged in his service, when there was no law extant then to do it; and makes it more satisfactory unto me, than otherwise, and shews he doth not dissemble, but is real in his Answers; and I shall sooner trust and believe him now, than if he had consented to such an unworthy act. 5thly, This Answer is both just and honourable; because if the king should assent to a new act to forfeit their lives and estates, he would condemn them rashly and unjustly without hearing their defence or evidence; and for the king to condemn any for traitors by a bill, without hearing the cause or evidence against them, or to make men traitors by a law subsequent to their offences, is neither just nor honourable, in every just man's judgment; and of very dangerous precedent as sir Edw. Coke informs us, the lord Cromwell, the inventor of such Acts of Attainder, being the first that lost his head by this new invention.—All which considered, there is no rational man but must conclude the king's Answer unto this Branch touching Delinquents, to be fully satisfactory even to your own Demands, as well in words as substance, notwithstanding the objections against it. But admit the Answer as bad as any have made it, shall we therefore conclude it so unsatisfactory as to break off the Treaty upon it, and involve the kingdom in another war, of which no man can know the end or issue? God forbid we should ever be so unadvised. The persons whose lives you desire for a sacrifice to public justice, are but 7 in number; 6 of them out of your power in foreign parts, where a new war will not reach them; the seventh an aged man, who may chance to die before judgment or execution pass against him; you have all their whole estates at your disposal already, and their persons too by way of banishment, during both houses pleasure; and will you adventure another 7 years war, and the loss perchance of 70,000 men's lives, and as many millions of treasure, to the ruin of the kingdom, for the bare lives of 7 Delinquents only; or in truth, of one alone, who is fully in your power, which you may take away by a legal trial without a war? Will not all the kingdom, nay all the three kingdoms and the whole world, cry out upon you for such a frantic unadvised act as this? Yea, and for such an unjust and wicked Resolution, to hazard the lives, and shed the blood, of many thousand innocent and gallant men to take away the head of one, or only of 7 vile Delinquents; the sparing of whose lives will more conduce to Settlement, and real unity, than their deaths by the Axe of Justice? For shame, then, let us not vote the king's Answer to this Branch of Delinquents so unsatisfactory, as to break off and lose all upon it, since I have proved it fully satisfactory in all things to your own last Demands.—As to the Delinquents specified in the second and third Qualification, the king and you are fully agreed. Besides, the king consents to the exclusion of the Delinquents, specified in the first Qualification, from sitting in parliament, being of his councils, coming within the verge of his court, bearing any office, or having any employment in the state, during the pleasure of both houses. Thus far you are both agreed; only he desires this mitigation of their penalty, in case they shall offend herein, that they may not be guilty of High Treason, and uncapable of any Pardon, and forfeit all their estates; nor that those who shall return from banishment without leave, may incur so high a penalty, but a more moderate, suitable to the law they shall offend. And, to break only upon this excess and extremity of punishment, (too high even in many wise men's opinions for such offences, and of dangerous precedent to posterity, it being the wisdom of our ancestors, to make as few new Treasons as possible, as being only for the king's advantage and people's prejudice) when a lesser penalty may as well, and sooner too, prevent the mischief, is neither safe nor prudent.—As for the Compositions of such persons; the king only desires their being moderated, if you think fit, even to such proportions as the Army itself, in their Proposals made in Aug. 1647, thought reasonable; and if you please not to grant it, then he leaves them to compound at such rates as you and they shall agree; and those are only such as you have already fixed on in former Compositions, from which you will not vary; and in case they will not compound at your rates, you have then the benefit of all their sequestered estates till their Compositions be made, which is your benefit and their loss. Therefore, in this, though some have been pleased, without any colour of reason, to assert the contrary, you are both fully accorded.—To the Delinquents in the fifth Qualification; the king consents to all your Desires, with this exception only, that such delinquent ministers, who are not scandalous in their lives or doctrine, and are already sequestered, may enjoy the third part of the profits of their livings, for the support of them and their families, and be capable of future preferments, if they be thought fit to enjoy them. This some have concluded very unsatisfactory, because it craves some little favour for malignant ministers: but I beseech you consider how inconsiderable the difference is, and how just and charitable the king's request is in their behalf. Yourselves, both by Ordinance and common practice, grant the full fifth part of the profits of sequestered livings to the wives and children of sequestered ministers, as well in case of scandal and insufficiency, as malignity: the king desires only that such who have been sequestered merely for malignancy, and are not scandalous, may receive a third part instead of a fifth; and, for their future encouragement, having spent their time in fitting themselves for the ministry, and being fit for no other calling, and having lost their former livings, he requests only that, in this scarcity of able ministers, they may be capable merely of future preferments, for

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which they shall be adjudged meet, in such a way as you shall appoint, not he or they: a just, a charitable request, and that which yourselves have done, there being many able godly ministers of eminent parts and exemplary lives, who have not been so clearly convinced in point of conscience, as to concur with you in the late wars, for which they have been sequestered, and have since been better satisfied; and God forbid that such should be made utterly uncapable of the ministry, and they and their families starve for want of bread.' I beseech you therefore, of all other things, let us not break with the king upon this act of charity, of piety, lest all the world condemn us for uncharitableness, and judge the king to be more pious and charitable than we. And no doubt it will be the greatest charity to ourselves, to our Church, our religion, our kingdom, at this time, rather to close with the king in this particular, than hazard all for a few third parts, and to be as charitable as his majesty. The more charity we shew, the greater unity, peace, amity, and better Settlement we may expect.

"But the greatest Dissatisfaction of all, referred to this head of Delinquents, is in the king's Answers concerning his present recalling of the marquis of Ormond's Commission to treat with, and unite, the Irish Rebels. To which I answer, 1st, That this was no part of the Propositions first sent, but a collateral emergent, discovered since the Treaty, upon colonel Jones's Letter; and so the unsatisfactoriness of the king's Answer, as to this alone, can be no just cause or ground to vote the other Answers unsatisfactory, or to break off the Treaty. 2dly, The king's granting of this Commission to Ormond, at the time he did it, is no such heinous thing as many have made it, all circumstances considered. The king, when the Army would not close with him upon their own terms the last year, (who treated with him without your privity, and against your orders, even then when they unjustly impeached the 11 Members for holding secret intelligence with him and his party, of which themselves were only culpable) was shut up close prisoner in Carsibrook Castle, in the Isle of Wight, by their procurement; and by the Votes of both houses (proceeding originally from the Officers and the Army's projection, promoted by their Declaration and Engagement to join with the houses in settling the kingdom without and against the king, and forcibly passed the lords house by the Army's garrisoning Whitehall, and billeting a regiment of horse in the Mews, to terrify them to a concurrence with the commons) quite laid aside like a dead man out of mind, and no more Addresses to be made to him by the houses, or from him to them; and no access of any to him under pain of high treason, without both houses license: the king, in these extremities, the better to procure his own enlargement and the kingdom's Settlement by a Treaty, grants a commission to the marquis of Ormond to unite the Irish forces, then divided, for the foresaid ends. Extremities certainly put honest and wise men too, as the Army's friends grant, upon hard shifts for self-preservation; and such extremity put the king upon this of Ormond.—The king is flesh and blood as well as we, and nature teacheth him to use the best means he may for his own preservation and deliverance in such a strait: the Army, the last summer, refused to disband or suffer any of their forces to go for Ireland, to preserve and secure that kingdom, only from this ground of self-preservation, upon which they would now enforce you, by their Remonstrance and marching up to your doors with their forces, to break off the Treaty, or vote it wholly unsatisfactory; whence most gentlemen that differ in opinion from me have made this their sole or chief argument that the king's Answers are unsatisfactory, because the Army would else not be satisfied. If then your own Army may thus disobey your Votes, and force your consents, only upon a pretence of self-preservation and defence, when they are in no visible danger, the king, by as good or better reason, in this extremity of danger, might justly make use of Ormond's endeavours for his better safety and enlargement. And if some members have affirmed in this house, as hath been alledged in this debate, That they would join with Turks or the worst of nations, and call them in to their assistance, rather than the king should come in by conquest; then the king, by like reason, might join with Ormond and the Irish, rather than be thus laid aside and destroyed. And what we ourselves would do in his or the like condition, we cannot justly blame in him. 3dly, The king did never absolutely deny the recalling of Ormond's Commission, but only suspended it till the Treaty ended; and if you then close with him, you have his engagement presently to revoke it; if then you agree with him upon this Treaty, your demand in this is granted, and the danger prevented; but if you will not agree at all, it is very hard measure to press the king to a present disadvantage, who is like to receive no advantage by you; nothing being obligatory on either side till all be concluded.—In fine: The king hath so far condescended to satisfy you in his final Answer, as to write a Letter to Ormond, to suspend the execution of his Commission for the present, and engaged to revoke it so soon as you and he agree in future; and more than this, as the case stands, we cannot well in justice require, and we should hardly grant so much were it our own case as it is the king's: and seeing all our dangers may be prevented by our agreement with the king, and this demand then fully granted, there is no reason to vote this unsatisfactory, when we may have all we desire, if we please ourselves. However, I see no such difference between the king and us, in this of Ormond and that of Delinquents, as to vote the final Answers to them and all the rest unsatisfactory; and so to lose England, dis-

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tressed Ireland, and all the former concessions, for an inconsiderable dissatisfaction in these two particulars.

"The last Proposition relating to the Security of the state, is, That the City of London shall enjoy all their Rights,' &c. (see p. 1068) To all which the king hath fully consented, so as his Answer thereto cannot be voted unsatisfactory by any, but such who envy the City's weal and security, that themselves may the better seize and trample on it, to its enslaving and ruin. This Concession is, 1. A great honour to, and justification of, your cause; the City having been more cordial to, active for, and bountiful towards, you upon all occasions and exigencies than all other parts of the kingdom; the harbourers, the relievers of all who have fled from the enemies tyranny thither for safety or relief; yea, the only treasury to advance monies upon all exigencies, and those to whom, under God, you principally owe your victories and preservation. Now, for the king to honour the city with such Concessions as these, which hath been most hurtful to, and deepest engaged against, him in this war, is almost as high and full, if not a greater, justification of, and countenance to, your cause, as his consent to the first Proposition: 2. A great satisfaction to the City for all their services and expences, and a firm security against all future fears and sufferings for engaging so deeply in your Cause: 3. An extraordinary engagement to the City, faithfully to adhere to you and all succeeding parliaments, upon the like cause and occasion, and to other corporations to do the like: 4. A great security and advantage to the whole kingdom, whose weal and safety principally consist in London's welfare, its principal magazine, mart, bulwark, refuge, and military security both by sea and land; wherewith the whole kingdom stands or falls. Had the king once gained London in these wars, the parliament and all England had been quickly lost, without hopes of recovery; which will be in a secure or recoverable condition at all times, if it be safe and true to the public interest, from which some have studied of late to disengage it; to ruin it and the parliament too, which were always free from imminent danger whilst cordially united, and near to both their ruins being now disjointed.

"Mr. Speaker, I have thus, as briefly as I could, with discharge of my conscience and duty, run through all the Propositions which concern the Security and Settlement of our state against the king's armed violence, or exorbitant civil sword or prerogative, and other particulars relating to its peace and safety, with the king's respective Answers thereunto; and, for mine own opinion, I humbly conceive them so fully satisfactory, and abundantly sufficient for our weal and safety against all future dangers and encroachments on our liberties, that, if we conjoin them with those other acts the king hath already consented to this parliament, we can neither desire nor expect any additions to make us more compleatly happy and secure than any people or kingdom under Heaven. The king hath already, by acts of parliament, condemned and suppressed Ship-Money; his own monopoly of making Gunpowder and Saltpetre; fines for Knighthood; impositions upon Merchants Goods, Tonnage and Poundage, without grant by parliament; Coat and Conduct Money; Forest Bounds and Laws, the grand Grievances, under which we groaned herctofore; so as we need never fear their revival, nor any others of that nature; especially since we have the nomination of all great officers and judges, the chief promoters of them. Besides, by act of parliament, he hath for ever suppressed the Bishops sitting and voting in parliament, a great disadvantage to him, they commonly voting what he pleased, and being wholly at his devotion; together with the three grand oppressive courts and shops of tyranny, oppression, and injustice in the kingdom, (the great terrors of men's spirits, the invaders of their rights, members, liberties; the chief enlargers and maintainers of an unlimited prerogative, and authors of all our late illegal projects, and pressures) the Star-Chamber, the High Commission, and Council Table; the king's chief engines to screw up his prerogative to the highest, and lay his subjects lowest; to which a fourth is since added in this Treaty, the Court of Wards: all which being totally abolished, the king hath now no court nor instrument left that I can think of, whereby to injure or oppress his people as in former times. The oppressions likewise and extortions of the Stannary Courts, and of the Clerks of the Market, are rectified by acts this session; yea this parliament, by act perpetuated, without any power in the king to adjourn and dissolve it, till all concur to dissolve it by an act of parliament; and, when this shall be so determined for our future security, and redress of all growing mischiefs which may endanger us, there is a provision by another law for a Triennial Parliament; with power to summon it, in case of the king's refusal, without him or his writ, and authority for the houses to sit for a convenient time, (sufficient to redress all Grievances, punish all public offenders, and settle useful laws) without dissolution or adjournment.—To which I may add the Act of Oblivion, Pacification, and Union, with our brethren of Scotland: upon granting of four of which acts alone, the house of commons, in their Remonstrance of the State of the Kingdom*, Dec. 1, 1641, 'did, with much thankfulness, acknowledge, 'that his majesty had passed more good Bills 'at that time, to the advantage of the subjects, 'than have been passed in many ages.' And if he shall now accumulate all the fore-mentioned Propositions, turned into acts, to those already enacted, with some few laws more for the regulating of some grievances and corruptions in the common law; the punishing and restraining of some public mischiefs and crimes,

* See vol. ii, p. 946.

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and punishment of extortions, (which will be readily assented to, there being no loss nor prejudice to the crown in passing them) we may, through God's blessing, in all human probability, if our sins deprive us not of so great a felicity, be the freest, happiest, securest, most flourishing, and best ordered kingdom and people in the world; and enjoy such privileges and immunities as our ancestors never so much as once imagined, much less aspired after. And if we will not now rest satisfied, and thankfully contented, with all these large extraordinary Concessions, and bless God for this tender of them to our hands, the present, and all future ages, will chronicle us for the most unreasonable and ungrateful creatures that ever sat within these walls, or the world produced since the creation.

" Mr. Speaker, having now at large demonstrated, I hope to every rational and honest man's conviction, the satisfactoriness of the king's Answers to all our Propositions relating to the Safety and Settlement of our State, I shall, in the next place, proceed to those Propositions and Concessions which concern the Peace, Settlement, and Security of our Church and Religion, wherein there appears the greatest difficulty; the most whereof I shall dispatch with greater brevity than the former. There are 3 things especially which may endanger and disturb the Peace and Settlement of our Church and Religion; 1. Popery, Popish Corruptions and Innovations, introduced by Jesuits, Papists and superstitious clergymen popishly addicted; 2. Profaneness; 3. Prelacy: and one chief thing to promote religion and the church's happiness, the propagation of the Gospel, by settling preaching ministers throughout the kingdom, and establishing the public Worship and Church-Government in such sort as is most agreeable to God's Word. For all these there is sufficient ground in the king's Answers to our Propositions concerning them, to vote them satisfactory, as I humbly apprehend, and hope to manifest. For the first of these dangers to our Church and Religion: there is as good security and Provision granted us by the King, as we did or could desire even in our own terms. 1st, He hath fully consented to pass an Act, 'For the more effectual disabling of Jesuits, Papists, and Popish Recusants, from disturbing the State and eluding the laws; 2. For the Education of the children of Papists, by Protestants, in the Protestant Religion: 3. For the due levying of the Penalties against Recusants. 4. Whereby the practices of the Papists against the state may be prevented:' whereby it is made Treason for any priest to say Mass in the Court or Queen's own chapel; and so no place left for the saying of mass throughout the kingdom, no not in the Queen's own chamber: 5. 'For abolishing all Innovations, Popish Superstitions, Ceremonies, Altars, &c.' By all which acts, added to our former laws against Recusants, I dare affirm we have now far better provision and security against Papists, Jesuits, Popish Recusants, their Popish Pictures, Innovations, Superstitions and Ceremonies, both for our Church's and Religion's safety, and states too, than any Protestant Church, state or kingdom whatsoever; so as we need not fear any future danger from Papists and Popery, if we be careful to see those Concessions duly put into Execution, when turned into acts, and our former laws.

Secondly, Against the Growth and Danger of Profaneness; his majesty hath condescended to an act of parliament, as large as can be drawn, 'against all Profanations whatsoever 'of the Lord's Day, with severe punishments 'for the profaners of it in any kind; and against 'all such as shall write or preach against 'its morality and due observation:' and likewise to an act, to be framed and agreed upon by both houses 'For the reforming and regu-'lating both Universities, and of the Colleges 'of Westminster, Winchester, and Eaton,' the seminaries of learning and education of youth to serve and rule in our church and state. By which two grants, if duly executed, all impiety and profaneness which can endanger our Church and Religion, will easily be suppressed for the present, and prevented for the future.

" Thirdly, Against the Danger and Revival of Episcopacy, and the Appendages thereunto belonging; the king hath clearly condescended to these particulars, in terminis: 1. To an Act, 'For the Abolition of all Archbishops, Chan-'cellors, Commissaries, Deans and Sub-Deans, 'Deans and Chapters, Archdeacons, Canons, 'Prebendaries, &c. and all other Episcopal, 'Cathedral, or Collegiate Officers both in Eng-'land, Wales, and Ireland; and to the disposal 'of all their lands and possessions for such uses 'as the houses shall think meet.' So as there is no fear at all of their resurrection to disturb our Church. All the question and difference now between the king and houses is only concerning the office and power of Bishops, and their lands and possessions; in which two I find most members declare themselves to be unsatisfied; especially those who have purchased Bishops Lands, who are very zealous in that point for their own interests.—For the clearing of these two scruples, I shall examine and debate these two Particulars: 1. How far the king hath consented to the houses Propositions for the abolishing of the office and jurisdiction of Bishops in the Church: 2. How far he hath condescended to the sale and disposal of their Lands and Possessions; and whether his Concessions in both these be not sufficiently satisfactory, in the sense I have stated the question in the beginning of this debate.—To the first of these; it is clear that the king, in his two last Papers, hath abolished and extirpated that Episcopacy and Prelacy which we intended, and have so earnestly contested against; and contends now for no other but an Apostolical Bishop, which is but the same in all things with an ordinary minister or Presbyter; which Bishop, being Apostolical and of Divine institution, we neither may, nor can, nor

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ever intended to abolish by our Covenant. To make this evident to all men's consciences: The king hath yielded to take away all the power and jurisdiction whatsoever exercised by our Bishops, in point of censure or discipline, in his former Answer; and contends for nothing now but their power of Ordination only; and that not solely vested in the bishop, but in him and other Presbyters jointly; yet so, as the bishop should have a negative voice in Ordinations; but the houses voting this unsatisfactory, because that the bishops, for 3 years during the continuance of the Presbyterian government, should have the chief power of Ordination, and after those 3 years the sole power, there being no others vested or intrusted with that power after the 3 years expired, so as Bishops might by this means creep in, and get up again by degrees as high as ever: thereupon the king, in his final Answer hereunto, though not fully satisfied in point of conscience but that the power of Ordination is principally vested only in Bishops by divine authority, hath yet, for our Satisfaction, thus far condescended to us: 1. That for 3 years next ensuing, during the Presbyterian government, no Bishops shall at all exercise this power of Ordination in the Church: 2. That if he can be satisfied in point of conscience within that time, upon conference with divines, that this power of Ordination, so far as to have a negative voice in it, belongs not unto Apostolical Bishops by a divine right, then he will fully consent to the utter abolition, even of this power of Ordination in the Bishops. 3. That after the 3 years are expired, if the king can neither satisfy his houses in point of conscience, nor they him upon debate, that this power of Ordination belongs, *jure divino*, to Bishops; that yet the exercise of that power shall be totally suspended in them, till he and both houses shall agree upon a government, and by act of parliament settle a Form of Ordination; so as if both houses never consent that Bishops shall hereafter have a hand or negative voice in Ordination, this power of Bishops is perpetually suspended, and, as to the exercise of it, perpetually abolished, even by this Concession, so as it can never be revived again without both houses concurring assents. And by this means Episcopacy is totally extirpated, root and branch according to the Covenant, which hath been so much pressed in this debate; though the words of it have been somewhat mistaken, that we therein absolutely covenant to extirpate Episcopacy; when as the words are only, 'That we shall endeavour the Extirpation of Prelacy' That is, 'of Archbishops and Bishops,' &c. And that certainly we have done, and in a great measure accomplished, so far as to satisfy both the words and intention of the Covenant, though a concurrent power of Ordination be left in Bishops, which yet is now totally suspended: For, as we covenant in the same clause, 'to 'endeavour to root out popery, superstition, 'heresy, schism, profaneness, and whatsoever 'shall be found to be contrary to sound doc-'trine, and the power of godliness,' in the extirpation of which I am certain we have not proceeded, by an hundred degrees, so far as we have actually done in the extirpation of Episcopacy (there being no Preposition at all in the Treaty for the extirpation of heresy, schism, and errors, as there is of Episcopacy); and yet the gentlemen, who are so zealous for the Covenant, persuade themselves they and we have not violated it in these particulars; therefore much less in the point of Prelacy and Bishops, since we have left them nothing at all but a mere power of Ordination, actually suspended from any future execution, but by both houses assents: 4. The king, by abolishing Archbishops, and Deans and Chapters, hath also therein actually abolished all Bishops too for the future, except those who are already made: for, by the laws and custom of the realm, no bishop can be consecrated but by an archbishop, or some deputation from him, in case of sickness; nor any bishop made or consecrated, unless he be first elected by the dean and chapter, upon a *congé d'élire* issued out to them to choose one. Now, there being no deans and chapters left to elect, nor archbishop to consecrate any bishop for the future, there can be no bishop at all hereafter made in England or Ireland; and so the bishop being thereby abolished and extirpated, his power of Ordination must be destroyed with his function, as well as suspended. All which considered, I cannot but conclude the king's final Answer, as to the office of, and Ordination by, bishops, to be completely satisfactory to our demands: and so much the rather, because the king, in this particular of Ordination, pleads only dissatisfaction in point of conscience for closing with us in this seeming punctilio; and if it were not merely conscience, (though some have over rashly censured it for a mere pretence to keep up bishops still) he that hath granted and yielded us the greater, would never contest with us for the lesser, nor go so far in the abolition of Episcopacy as he hath done. And truly, I doubt not, but his majesty, by conference, may soon be satisfied in this point: nay, had his own Divines dealt faithfully with him in the Isle of Wight, he might have been easily satisfied in this particular: in which, I doubt not, by God's blessing, to undertake to satisfy him, both in point of Episcopacy, that it is in all things the same with Presbytery; and that the Ordination of Presbyters and Ministers, by divine right, belongs only to Presbyters as such, and not to bishops as bishops; who, for above a thousand years after Christ, claimed the chief, but not the sole interest in it; not by divine right and authority, but merely by canons and custom long after the Apostle's times; which I have proved at large long since in my "Unbishoping of Timothy and Titus;" which none of the bishops or their patrons, ever yet attempted to answer, though I particularly challenged them to do it.—Only this I shall now say, in brief,

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for some satisfaction in the point, to other members: 1. That there is no one text of Scripture to prove that Bishops, *jure divino*, are distinct from Presbyters in any thing, much less in this particular of having a negative voice, or sole or principal interest, as bishops so distinguished in the power of Ordination; but a direct text to the contrary, 1 Tim. iv. 14. to omit others. 2. That the pretence of appropriating Ordination to Bishops, distinct from Presbyters, by divine right, is grounded upon these two gross mistakes, that Timothy and Titus were bishops properly so called, the one of Ephesus, the other of Crete; and that this power of ordaining Elders was vested in them, *quatenùs* bishops only, and not otherwise, by divine institution. For proof of the first, the Postscripts of Paul's Epistles to them (and not one text of Scripture) are cited; and the 1 Tim. v. 22. Tit. i. 5. relating only to Ordination, for the latter. But it is as clear as the noon-day sun, by Scripture, that Timothy was never a Bishop properly so called, much less the first or sole bishop of Ephesus, as is evident by sundry texts, especially by Acts xx. 4, 5, 6, 15, 17, 18, 28, 19, 30, 31, compared together; nor Titus a Bishop, properly so termed, distinct from a Presbyter; much less the first or sole bishop of Crete:-nor do either of those texts prove that they had the power of Ordination by divine right vested in them two, merely as Bishops distinct from, or superior to, Presbyters, as I have undeniably manifested in my "Unbishoping of Timothy and Titus." And as for the Postscripts to these Epistles, terming 'Timothy ordained first Bishop of Ephesus, and 'Titus of Crete,' they are no part of the text; but first extant in, and invented by, Oecumenius* (not the most authentic author) above 1050 years after Christ, and annexed only to the end of his Commentary on those Epistles, not adjoined to the text; and they are not only omitted in most manuscripts and printed editions and translations of these Epistles, but apparently false in themselves, as I have at large demonstrated in some printed Books: therefore this point of conscience may soon be satisfied. 3. That no Bishops, for 1200 years after Christ, did ever claim the chief power in Ordination by any divine right, as bishops, but merely by canons or custom long after the Apostles: and that in the primitive times, before any restriction by councils, presbyters in many places did not only ordain ministers and deacons without Bishops, and bishops never but jointly with presbyters; but likewise ordain bishops themselves, as Jerom, Epiphanius, Augustine, and others assure us: and sometimes joined in the consecration and instalment even of Popes themselves and Archbishops, for defect of Bishops. 4. That it is the constant tenet of all the eminentest Protestant Divines, and some learned Papists too, and the practice of all the Reformed Churches, that the Divine Right of Ordination belongs originally to the whole Church, but ministerially to Presbyters, as such; not to Bishops as Bishops; and that which undeniably clears it up to me, is this, That, in the New Testament, we find both Apostles, some of the 70 Disciples, Evangelists, and Presbyters equally ordaining Elders or Presbyters; but not any one who is once in Scripture styled a Bishop, either conferring Orders upon any, much less eo nomine & jure, as a Bishop: and, since the Apostles times, we find, in point of use and practice, popes, patriarchs, archbishops, metropolitans, cardinals, abbots, in some places (who are not jure divino, nor bishops properly so called, but distinguished from them in degree) ordaining presbyters and ministers, as well as bishops, quatenùs bishops; and that never by themselves, but all by the presbyters joint concurrence then present; who, by the fourth Council of Carthage, the Canon Law, the very Canons of Trent also, and our own Book of Ordination and our Canons, ought also to join with them in the Ordination: now, all these distinct orders and degrees claiming and exercising this power by a divine right, and many of their functions being confessed not to be of divine right, as popes, patriarchs, archbishops, metropolitans, abbots, and choral bishops, who yet ordain; and these always necessarily calling presbyters, who are clearly of divine right, to join with them in their ordination, and not doing it alone, is an unanswerable proof to me, that they all concur in this action in no other right or notion at all, but merely as they are presbyters, in which they all accord, and have one and the same authority; not in their own capacities, wherein they are all discriminated, and are not all of divine, but only of human institution; presbyters, quà presbyters, being the properest persons to ordain others of their own degree and function, as doctors of divinity, law, and physic, in the universities, create doctors of their several professions, and bishops consecrate bishops and archbishops; even as a man begets a man of his own quality and degree, and all other creatures generate those of their own kind, without the concurrence of any other distinct species paramount to them.—As for the Angel of the Church of Ephesus, much insisted upon in the Isle of Wight, to prove an Episcopacy, jure divino, distinct from Presbytery, I never read that this Angel ordained any presbyters, either quatenùs angel or bishop; nor find I the name of a bishop in any of St. John's writings, but the title of a Presbyter or Elder very frequent, by which himself is styled; and I wonder much the king or his bishops should now so much insist upon this Angel, and assert him to be a lord bishop, not an ordinary minister. For, 1st, king James* himself, and

* This I have fully proved in my "Unbishoping of Timothy and Titus." And, "The Antipathy of English Prelacy to Unity and Monarchy," part ii. cap. 9.

* See my "Antipathy of the English Prelacy," part ii. p. 479 to 484.

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all the bishops of England, with those learned men employed by them in the last translation of the Bible, in the very contents prefixed to this chapter, Rev. ii. resolve the angels of those Churches to be ministers, in these very words, 'What is commanded to be written to the 'Angels, that is, the ministers (not bishops) 'of the 'Churches of Ephesus, Smyrna, &c.' If then the angels, by their joint concessions, when these contents were first composed and prefixed, were only the ministers, not bishops, of these churches; and this hath ever since been constantly admitted, confessed, and published to be so even in our authorized Bibles, used in all churches, chapels, families, and printed *cum privilegio*, five or six times every year, without any alteration or disallowance of this exposition, I marvel much how the bishops now dare inform the king that these angels certainly were only bishops, but not ministers, diametrically contrary to these authorized contents of their own or predecessors affixing, with learned King James's approbation, or how his majesty, when he knows it, can believe them, though they should aver it, against his own father's, and the whole Church of England's resolution, which hath so long received and approved this translation, excluding all others in public, and these contents thereto prefixed. 2dly, Admit this Angel of Ephesus to be a diocesan Bishop, distinct from an ordinary presbyter, yet he was but an Apostate, 'who had left his first 'Love,' ver. 4. And if Timothy, as they affirm, was sole Bishop of Ephesus, he must be the Apostate, being at that time living, unless he resigned his office to some other; which is improbable. And for our Bishops to father that divine right of their prelacy upon an apostate Angel, is no good divinity, and less policy at this instant. And this their rotten foundation upon an Apostate, may probably be the ground why so many prelates, in this and former ages, have turned apostates after they were created bishops. 3dly, 'If those Angels in the Revelations were really lord bishops, then certainly the Elders therein mentioned can be no other than presbyters, not bishops, as the prelates themselves will grant: and, if so, then verily the presbyter is the supreme of the two both in point of dignity, ministry, and precedency, which is very observable: For, 1, I find the 24 Elders, there mentioned, sitting upon 24 seats round about Christ's throne, and nearest to it, but the Angels standing, not sitting, round about it and them, without any seats at all provided for them, as inferior attendants. 2. I find these Elders not only sitting on seats next Christ's throne; but likewise clothed with white raiment, and having on their heads crowns of gold, the (emblem of supreme authority, power, and honour) whereas the Angels had neither white raiment nor crowns; so it seems Bishops had no lawn sleeves, nor rochets, nor mitres then, though they have since usurped and robbed the presbyters of them. 4thly, 'These Elders, not the Angels, are there always introduced worshipping and falling down before Christ's throne, holding harps and golden viols in their hands full of odours, representing the prayers of the saints, and singing the new song to him, as the principal officers and ministers of Christ; when as the Angels standing by, act or speak little in these kinds, like our late dumb, unpreaching, and rarely-praying prelates. 5thly, 'The 24 Elders, not the Angels, sing this new Song of Praise to Christ, 'Worthy art thou to take the Book, &c. and 'hast made us kings and priests,' not Angels or Bishops, 'to God the Father; and we,' not the Angels, 'that reign on the Earth.' Therefore, in all these respects, if the Angels, in the Apocalypse, be Bishops, as our prelates dream, the Elders must of necessity, jure divino, be their superiors and lords paramount in point of dignity, honour, sovereignty, and ministry; and they inferior in jurisdiction and power unto presbyters, not superior, as they would really make themselves. When his majesty shall be informed of these, and many other particulars of this kind, I doubt not but his conscience will be so much satisfied, as wholly to forego and lay aside his pretended Apostolical Bishops, both in point of function and Ordination too, as being the same with presbyters: and since, in his last Paper but one, he hath professed to retain no other bishops, but such as are apostolical, he must presently quit all those about him, and their possessions too, since neither of them are apostolical; the Apostolical Bishops being always many over one Church or congregation, not one over many churches, or a whole diocese, as ours are; and having no palaces, manors, lands, and possessions, as I shall prove in the next particular, which comes to be now debated, having fully cleared this to be satisfactory.

"For the second Question, concerning the Sale of Bishops Lands, How far the king hath condescended to it, and whether the king's Answers to the first Branch of that Proposition be satisfactory in the premised sense? I confess I find this the grand and most swaying argument of all others, used by those who differ from me in the Treaty as not satisfactory, because the king absolutely refuseth to agree to the Sale of Bishops Lands, for the satisfaction of those public debts for which they are engaged by both houses; whereby purchasers and lenders upon that assurance will not be only defrauded, but cheated out of their debts and purchases, many of them quite undone and ruined, and the honour and public faith of both houses for ever forfeited and laid in the dust. And indeed this is a very sensible argument, especially to such members who have either purchased Bishops Lands, or advanced monies upon their security, very fit to be fully answered; which I shall endeavour to do, I hope, to their full satisfaction and content.—I confess it to be most just and equal, that all who have purchased Bishops Lands, or advanced monies to the state upon them, should re-

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ceive full satisfaction, and be no losers by it, but rather gainers. And I could have as heartily desired as any member of this house, that the king, in this particular of Bishops Lands, had given us plenary satisfaction; the rather, because I was employed by the houses as one of the contractors, though without my seeking, and to my prejudice, by neglecting my calling; and receiving, as yet, not one farthing salary for it, though I have spent and lost some hundreds of pounds in and by that employment; and had the king really done it, I presume few members of this house, now of a different opinion, would have voted his Answers to the whole Treaty unsatisfactory:—But to take them as they are, 1. 'The King hath so far 'condescended to their Sale and Disposal, 'made or to be made, as that the purchasers 'shall, by act of parliament, enjoy a lease 'of them, not from the Bishops themselves, 'but from the crown, for 99 years space; re-'serving only the reversions afterwards to the 'crown, and that for the use of the Church in 'general terms. 2. The king will be content 'with the reservation only of the old or some 'other moderate rent, to him and his heirs, to 'be employed only for the Church's use and be-'nefit. 3. That, for the absolute Sale or Aliena-'tion of them, he cannot, in point of conscience, 'consent unto it, as being sacrilege, and an 'unlawful act in the opinion of all Divines, 'as well as in foreign reformed Churches as 'domestic.' This, as I remember and conceive, is the sum of his majesty's final Answer to this Proposition. To examine these particulars a little in the general, and then by parts. 1. I must make bold to inform you in the general, that the king, and his predecessors kings of this realm, were the original founders of all our bishopricks, and patrons of them; that all their lands, rents, and revenues whatsoever, originally proceeded from the crown and kings of England, of whom they are holden; and that, in times of vacancy, the king enjoys the profits of their temporalities as a part of his royal revenue, and receives both tenths and first fruits out of them upon every death or translation of the bishops; and therefore there is very great reason, and justice too, they should be still held of the crown, and not totally translated out of it; and that the king and his successors should receive some reasonable revenue or compensation out of them, parting with such an interest, in recompence for them. 2. That in the several Treaties with the king, in Feb. 1642, and July, 1646, all the lands, possessions, rents, and reversions, both of archbishops and bishops, and likewise of deans and chapters, and other officers of cathedral and collegiate churches, were by act of parliament, to be settled in the very real and actual possession of the king, his heirs and successors, for ever, to their own proper use; except only their impropriations, advowsons, tythes, and pensions, which are not now to be sold: and that the Ordinances for settling of Bishops Lands, rents, and possessions in feoffees, and engaging and selling them for the monies lent upon the public faith, and also for raising 200,000*l.* for disbanding of the Scots Army, passed not the houses till Oct. and Nov. 1646; till which time there was no thought nor intent at all to sell or alienate them from the crown. If then the king, in two or three former Treaties, by both houses full and free consent, and a Bill passed by them for that purpose, was to enjoy to himself, his heirs and successors, all the demesne lands, manors, possessions, reversions, rents, inheritances, and revenues of archbishops and bishops, and likewise of deans and chapters, prebends, and the like, it seems to me very just and reasonable that he should demand and enjoy the reversions of them after 99 years, and such a moderate rent as he and both houses shall agree on; and that this Answer of the king's, wherein he demands so little now, only for the Church's use and benefit, not his own, should be fully satisfactory, because we were very well content, in former Treaties, that he and his heirs should enjoy the whole, to their own use only. 3. That near one moiety of the archbishops and bishops possessions and revenues consists in impropriations, tythes, pensions, and the like; which the king is content wholly to part with for the increase of ministers means, and benefit of the Church, without any reservation or recompence; and with all deans and chapters lands and revenues to boot: therefore it should be unsatisfactory or unreasonable in no man's judgment, for the king to reserve some interest in the reversions and rents only of their demesne lands. 4. The king demands the Reversions of the Lands after 99 years, and some present moderate rent, not for the use and support of the Bishops, and to keep a root for them to grow up again in our Church, as hath been mistaken by some, (archbishops, and bishops too, being extirpated, root and branch, by the king's former Answers, as I have manifested) but only for the use of the Church, in such manner as the king and we shall agree to settle them; who shall take care that no Bishop shall be a sharer in them, all being to be settled in the crown alone, and nothing in reversion, or possession, in or upon the Bishops. 5. The king consents, That the purchasers of Bishops Lands shall, by act of parliament, have a lease of them for 99 years, reserving the reversion only after that term; which I conceive is no ill, but a very good, bargain for the purchasers; such a lease by act of parliament, being far better than the whole inheritance by a bare Ordinance of both houses; which, for aught I know, if not confirmed by a subsequent act of parliament, will prove little better than a tenancy at will, or a lease so long only as this parliament continues; Ordinances of both houses only, without the king's royal assent thereto, being a new device of this present parliament, to supply some present necessities for our necessary defence and preservation during the king's absence and hostility, never known or used in any former parliaments, whatever hath been conceived to the

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contrary: therefore this offer of the king's is no prejudice at all, but a great advantage, to the purchasers, wherewith they should rest fully satisfied. But admit it be any loss at all to them, and not rather a gain, as things now stand in our tottering condition, yet it is only of the reversion of these Lands after 99 years, worth not above one quarter or half a year's purchase at the utmost; which, considering the low values at which Bishops Lands were sold, and the cheap rates that most purchasers gave for bills of public faith, with which they bought them, they may be well content to lose, to secure their purchases for 99 years in these tumultuous and fluctuating times; when some wise men, who have made such purchases, would very gladly give 2 or 3 years purchase, if not more, at the Assurance Office, to any who will insure their estates in Bishops Lands for so long a term, and think they had a good bargain too; at least-wise far better than the Bishops, in case they should revive again, as some fear, who must be kept starving for 99 years in expectation of a dry reversion. All which considered, the king's Answers touching such Reversions, I humbly conceive, will be very satisfactory to the purchasers of Bishops Lands themselves, who are most displeased with it.—As to that which hath been objected, That some have purchased reversions of Bishops Lands after 99 years in being, who must absolutely lose their purchase-money after this rate; which is neither just nor honourable for the parliament: I answer, That this is but the case of 3 or 4 only; that their purchases are of no considerable value, nor bought singly by themselves, but jointly with lands or rents in possession of good value; in which they had the cheaper purchase to take off the reversion after so long a term; which loss in the reversion they may contentedly undergo to purchase their own and the kingdom's Peace, and enjoy what they have purchased, with these reversions, in possession, without trouble or eviction by act of parliament for 99 years space; or receive other satisfaction from the king and parliament to their contentment, in such manner as I shall presently inform you.

6. To that concerning the present Rents which the king demands out of Bishops Lands, which sticks most with purchasers, many of them having purchased nothing but rents, and others more rents than lands in possession, which rents must all be lost, if they must pay the old rents over to the king to their undoing; which would be both unjust, unconscionable, and dishonourable to the houses, upon whose assurance and engagement to enjoy their bargains, they were induced both to lend money on, and to purchase these Lands afterwards; and would be no better than plain cheating, and render them odious to all the world, as some have objected: I will not answer this with *caveat emptor*, but desire them to observe that the king, in his Answer, doth not peremptorily require the Bishops old Rents during the 99 years; but only disjunctively, either the old rents, or some other moderate rent to be agreed on; and if only a moderate proportion of the old rent be paid to the king, the purchaser is sure to enjoy the residue during the 99 years; and so his purchase-money not totally lost, as is objected. Besides, the king will not reserve these rents to the use of himself or the crown; but only to the Church and maintenance of the ministers, in such manner as he and his houses shall agree in the Bill for setting these Lands in the way propounded by him; which offer opens this just and honourable way for the houses to give all purchasers of Bishops Lands and Rents full satisfaction, both for the loss of their reversions after 99 years, and for the present Rents which shall be reserved to the Crown, out of Bishops Lands, to the Church's use; which I believe the king and houses will readily consent to; and that is, to settle, by act of parliament, so much of the Dean and Chapters demesne Lands and Rents upon the purchasers, as the loss of their reversions, after 99 years, and present rent to the crown, shall amount unto upon a just computation: by which means the purchasers, by way of exchange of Deans and Chapters Lands and Rents for those of Bishops, shall have such full and satisfactory content, even in kind, as will clear the honour, justice, and reputation of the houses fair dealings, in this particular, throughout all the world; and give the ministers full satisfaction likewise, for the augmentation of whose livings and maintenance the deans and chapters lands and rents are designed, by settling the reversion and rents reserved to the crown out of the Bishops Lands, for the Church's use, upon those who should have enjoyed Deans and Chapters Lands, thus settled on the purchasers by exchange; which being of equal value, can be no loss nor prejudice to any.—This is such a visible and real satisfaction to all purchasers, as none of them can justly open their mouths against, being both for their own security and advantage, and the kingdom's Settlement: but if any of them dislike this real satisfaction, which the king no doubt, will yield to, there is another means provided by this very Treaty for their satisfaction; and that is, by ready money for whatever they shall lose by Bishops Lands in possession or reversion, by this reservation to the crown; which I am sure they neither will nor can refuse in justice or equity; they having the Bishops Lands conveyed to them only by way of mortgage or security, for monies lent upon the public faith; and the houses, by the Tenth Article of this Treaty, have time, within 2 years space, by act or acts, to raise any sums of money for the payment of the public debts of the kingdom, whereof the monies lent upon Bishops Lands and the public faith are a principal part; and the same justice of the houses, which hath already provided, by several Ordinances, a sufficient recompence and satisfaction for purchasers of Bishops Lands in cases of eviction, or of emergent

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charges and incumbrances discovered after the purchases made, may be a sufficient assurance to them of the houses justice, that they will give them as good or better satisfaction by one of these two ways I have here propounded, for any thing they shall part with to the king or Church for the Settlement of the kingdom's Peace. 7. It hath been the solemn Protestation and Declaration of both houses, in all their Remonstrances to the king, kingdom, and foreign states, 'That they have 'taken up defensive arms against the king's 'party only for the maintenance of Religion, 'Laws, Liberties, &c. and to bring Delin-'quents to condign punishment.' Now Bishops Lands and Rents, I am certain, are neither our religion, laws, nor liberties, and I think they are no Delinquents, though most bishops are. And shall we now, after 7 years war, and 60 days Treaty, make Bishops Lands, which for 5 years time or more of our wars were never thought of, the sole or principal cause at least of our present breach with the king, and the only ground of a new war? God forbid. Will not all the world then justly censure us for notorious hypocrites and impostors, pretending one thing and intending another? Will they not then say, that Bishops Palaces and Lands were the only religion and liberty we have fought for, the only Delinquents we have brought to public justice and execution? That we would never have suppressed archbishops and bishops, nor entered into a Solemn League and Covenant, with hands lifted up to Heaven, to endeavour to extirpate them as Antichristian, but only to gain and retain all their lands and revenues; and never condemned their functions, but only to seize on their possessions? And that we must now maintain an Army upon their exhausted purses and estates, only to defend these purchasers titles to the bishops inheritances? If so, for shame, let us never break off this Treaty, nor ruin two or three kingdoms, upon such an absurd dissatisfaction as this. And if our purchasers of Bishops Lands shall still refuse to rest satisfied with that twofold recompence I have formerly mentioned, and keep up an army to maintain their purchases, rather than yield to any reason, I shall humbly move, That not the whole kingdom, but themselves alone, may defray the Army's taxes and quarters; and then I am certain they will have a dearer bargain than what the king or I have proposed for their satisfaction.—And, the better to persuade them to embrace this Compensation, I have only this more to offer both to them and you, That if you break off with the king upon this point, or close with the Army, they are most certain to lose all; for a bare Ordinance of both houses is no legal title, nor good security against king or bishops, without the king's concurrence and royal assent unto it; and valid no longer than maintained by the sword, the worst and most hazardous title of all others, which will quickly cost the purchasers and kingdom treble the value of all the Bishops Revenues; and if they close with the Army to break the Treaty, they tell them in direct terms in print, in 'The Case of the Army truly stated,' presented to the General by the Agitators of the Army, at Hampstead, Oct. 15, 1647, p. 16, 'That whereas the times 'were wholly corrupt, when persons were ap-'pointed to make sale of Bishops Lands; and 'whereas parliament-men, committee-men, and 'kinsfolks were the only buyers, and much is 'sold, and yet it is pretended that little or no 'money is received. And whereas lords, par-'liament-men, and some other rich men, have 'vast sums of Arrears allowed them in their 'purchase, and all their monies lent to the 'state paid them, while others are left in ne-'cessity, to whom the state is much indebted; 'and so present money, that might be for the 'equal advantage of all, is not brought into 'the public treasury by those Sales: it is 'therefore to be insisted on, that the Sale of 'Bishops Lands be reviewed, and that they 'may be sold to their worth, and for present 'monies for the public use; and that the Sale 'of all such be recalled as have not been sold 'to their worth, or for present money.' This particular, among others, they profess they have entered into a Solemn Engagement to prosecute, and are now marched up to London accordingly to pursue it, as their late Remonstrance and Declaration intimates, and themselves professed by word of mouth; which I desire the members who have purchased Bishops lands, who are generally most unsatisfied with the king's Answers, especially in this particular, seriously to consider; and then to make their election, Whether they will now close with the king's Concessions, and what I have here propounded for satisfaction of their reversions after 99 years, and present rents they may chance to part with, and so secure their purchases for this term by act of parliament; and have full compensation for what they part with, either in ready money, or deans and chapters lands and rents, and so be no losers, but great gainers, by the bargain; or else break with the king to please the Army, and so be certain to lose all between them; not only once but twice over: for the Agitators in the Army tell them plainly, 'That all 'their purchases shall be reviewed; and if 'they have purchased them at an under rate 'or not for ready money,' (which not one of them hath done, but by tickets of their own, or bought at very low values of others, which it is like they will also examine) 'then their 'Sales shall be absolutely recalled, and sold to 'others at full values for ready money:' and so all is lost in good earnest, or else they must re-purchase them for ready monies at higher values, without any assurance from the king by act of parliament; and so lose them again the second time, if ever he or his prelatical party should prevail, and yet be inforced to answer and restore all the mesne profits they have taken to boot. A very hard chapter and bargain to digest, if they advisedly consider it; which, by

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accepting the king's offer, is most certainly prevented; who, perchance, in short time, upon second thoughts, and conference with learned men for the satisfaction of his conscience in the point of sacrilege, if he should consent to the total alienation of these Lands from the Church, may come up fully to our Desires, and part with the very inheritance to the purchasers, as amply as they have purchased it, rather than leave his own and the kingdom's interest wholly unsettled.—And, for my part, I make little question, that had the prelates and clergymen with the king, at the Isle of Wight, dealt so candidly and clearly with him in this particular of the Sale of Bishops Lands, they might have easily satisfied his Conscience in this very thing, as well as in others, from these grounds and matters of fact, which I shall but point at to satisfy others, who perchance are scrupulous herein, even in point of Conscience, as well as the king: 1. The king, in his last Paper but one, in express terms professeth, 'That he hath abolished all 'but the Apostolical Bishops, invested with a 'negative voice or power in point of Ordination:' and, if so, then I am certain he hath likewise abolished all bishops palaces, lordships, revenues, rents, and possessions; it being most certain that neither the Apostles themselves nor any Apostolical Bishops of their Ordination in their days, or for above 300 years, after, had any lands or possessions annexed to their apostleships, or bishopricks; but lived merely upon the alms and voluntary contributions of the people, as Christ himself, Paul, and the other Apostles did, as all Historians accord. If then his majesty will retain none but Apostolical Bishops, he must necessarily take away their temporal lands and possessions annexed to their bishopricks to make them such, if he hath not already done it by his final Answer to this Proposition, as I conceive he hath. 2. It is generally agreed by Historians, that Constantine the Great (our own countryman born, and first crowned Emperor at York, to the eternal honour of our island, he being the first Christian Emperor, and greatest advancer of the Christian Religion, and Destroyer of Paganism) was the first who endowed the Church and Bishops with any temporal possessions, about 350 years after Christ; though his pretended donation to the Pope be but a mere fable, as Dr. Crackenthorp, and others have manifested at large. Now Joannes Parisiensis, Nauclerus's Polychronicon; our English Apostle, John Wickliffe; our noble Martyr, the lord Cobham; John Frith, a Martyr; learned bishop Jewell, and others out of them, record, That when Constantine endowed the Church and Bishops with temporal lands and possessions, the Voice of an Angel was heard in the air, crying out, 'Hodie venenum infunditur in Ecclesiam,' this day is poison poured into the whole Church of God: and from that time, say they, because of the great riches the Church had, she was made the more secular; and had more worldly business than spiritual devotion, and more pomp and boast outward than holiness inward; 'Religio peperit divitias & filia devoravit matrem;' which our Bishops and Translators of the Bible likewise mention in their Epistle prefixed to it. And Oakham saith, and others observe, That whereas all or most of the bishops of Rome before that time were martyrs, scarce one of them proved a martyr afterwards; but, instead of being martyrs, fell a persecuting and making martyrs. And if this voice of the Angel (perchance a Bishop, since our prelates will needs have the angels in Rev. ii. to be bishops) was true, and subsequent experience hath found it so, that bishops and churchmen's temporal lands, possessions, and endowments, are no other but poison to the Church; and his majesty be convinced of the truth of this story, I hope he will be satisfied in point of conscience that it is no sacrilege, but wholesome physic, to take away this poison from the Church, which hath so much infected and corrupted it; and would, in fine, destroy it and the bishops too, and eat out all their piety and devotion. —3. Most Bishops, long after Constantine's time, had very small or no revenues, or lands, and no other palaces to reside in, but poor little cottages; it being all men's opinion in those days, That stately palaces belonged only unto emperors and princes, and cottages and churches unto bishops. The fourth Council of Carthage, about the year of our Lord 390, decreed, That the Bishops should have Hospitiolum, a little cottage or hospital to dwell in near the Church, not a palace. And in the Excerptions of Egbert, Archbishop of York, An. 750, I find the same Canon renewed among us, as the canon law of this realm; That bishops and presbyters should have Hospitiolum, a small cottage near the Church, to live in; not a stately mansion: so as our Bishops, in those days, had no great palaces, manors, temporalities; and their very cathedrals were built only with wattle, or a few boards pieced together, and covered but with reed; stone churches covered over with slate or lead, not being in use among the Britons, Scots or Irish, for many hundred years, as bishop Usher himself asserts out of Bede, and Bernard in his Life of Malachi. And if their Cathedral Churches were so mean, their palaces certainly were but answerable, poor little cottages, and their revenues little or nothing but the peoples alms. St. Augustine, that renowned bishop of Hippo, had but a mean house to live in, his dishes and trenchers were all earthen, stone, or wood; his table furnished with pulse, herbs, and a little pottage only, for the most part, seldom with flesh; he had no plate but five or six spoons; and when he died he made no will at all, because the poor saint of Christ had nothing to bequeath, as Possedonius records in his life. St. Chrysostom, the great famous patriarch of Constantinople, and Gregory Nazianzen, his predecessor, had no stately palace, furniture, houshold-stuff, or train of attendants, nor any goods or revenues at all; nor John the almoner

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that succeeded them, nor that famous Spiridion, who kept a flock as a mean shepherd, though a bishop: and eminent St. Hierom, though no bishop, yet the learnedest and most famous scholar in his age, or any after, and of great repute, writes of himself, that he lived *in pauperi tuguriolo*, in a poor little cottage, having scarce cloaths to cover his nakedness: so St. Ambrose, bishop of Milan, was very poor; brake the chalices in pieces to relieve the poor people, and used this maxim, 'Gloriosa in Sacerdotibus Domini paupertas.' And if these great lights, Bishops and Fathers of the Church, in whose names our prelates so much triumph, were so poor, that they had no palaces, houses, and temporal possessions, as our archbishops and bishops had, I can yet discern no matter of conscience in it, why our bishops should have more than these pillars of the Church either enjoyed or desired; they being content with food and raiment; as Paul was, and desiring no more. It is storied of our ancientest Bishops that I read of, present at the Council of Ariminum, An. Dom. 379, that they were so poor that, '*Inopia proprii, publico usi sunt*,' they were maintained at the Emperor's public cost, for want of private maintenance of their own; yet they were eminent both for piety and learning. And if their predecessors were antiently so poor, it is no point of conscience to deprive our Lord Bishops not only of their lands, but function too, for the Peace and Settlement of three kingdoms, now at the point of ruin. When the Church of Christ was miserably rent and torn in Africa by the schismatical Donatists, who would have no prelates and bishops, that eminent bishop of Hippo, St. Augustine, and almost 300 African bishops more, were content to lay down their bishoprics wholly for that Church's peace. They had no Bishops Lands then to part with; but yet, for peace and unity's sake, they were content to part with their very bishopdoms themselves. And will not the king then, in point of conscience, part with the Bishops Lands for our present Peace, when he shall know, or be truly informed of all this?—4. For the Judgment of Divines; I could produce divers against the great possessions of bishops in all ages, as making them secular, proud, vicious, lazy, which I have formerly published at large*; but I shall only at present inform you, that our famous John Wickliffe professedly maintained, That the king and temporal lords grievously sinned, in endowing the bishops with large temporal possessions, which had reversed Christ's Ordinances, and procreated Antichrist; and that they were bound in conscience to take away their lands and temporalities from them, which they had abused to pride, ambition, discord, &c. His disciples, our noble martyrs, William Swinderby, John Purvey, sir John Oldcastle; and, after them, Pierce Plowman, Geoffrey Chaucer, Mr. Tindall, Dr. Barnes, John Frith, sir John Borthwick, a martyr, and author of 'A Supplication to Henry 8,' the author of 'The Image of a very Christian Bishop, and a counterfeit Bishop;' W. Wraughton, in his 'Hunting of the Romish Fox;' Mr. Fish in his 'Supplication of Beggars;' Henry Stalbridge, in his 'Exhortatory Epistle;' and others were of the like judgment; and Roderick Morse, in his 'Supplication to the Parliament,' in Henry 8's reign, to omit Penry, and others, in queen Elizabeth's reign. And why there should be more sacrilege in taking away Bishops Lands in England than in Scotland, or Abby Lands heretofore from abbies and priories, I cannot yet discern. All which considered, I hope his majesty's conscience may and will be rectified in this particular, before the Treaty be absolutely confirmed by acts of parliament, so as this of Bishops Lands shall make no breach between us; in clearing of which I have been the more prolix, because it is most insisted on of any thing, in point of dissatisfaction, both by the king and us.

"As for all our other Propositions, relating to the Peace and Settlement of the Church, the king hath fully assented to them *in terminis*; as, namely, to the bill 'For the better Advancement of the preaching of God's Word, and settling godly Ministers in all parts of the kingdom,' to the bill against 'Pluralities and Non-residency'; to an act 'For Confirmation of the calling and settling of the Assembly of Divines'; to an act 'For the Confirmation of the Directory, and abolishing the Book of Common Prayer throughout the kingdom,' and in the King's own Chapel too, yielded unto in the king's final Answer, though formerly stuck upon; to an act 'For taking the Covenant throughout the realm'; only the king sticks at it, as yet unsatisfied in conscience as to the taking of it himself without some qualifications in it, which a committee were appointed to consider of, but have not yet reported aught to the house. Besides, he hath approved the Lesser Catechism as far as you desired, who rest satisfied with his Answer concerning it: and as for the Presbyterian government, he hath absolutely consented to settle it for 3 years.—But it hath been much insisted on by many, That the king's grant of the Presbyterian government is nowise satisfactory, because only for 3 years; and therefore they will break off the Treaty for this reason, and vote the king's Answers upon the whole unsatisfactory, because too short in this particular: to which I answer, 1. That the king, *in terminis*, hath granted as much as we desired. We desired its Settlement but for 3 years; and many, who most pretend dissatisfaction in this point now, did, and do indeed, desire no settled government at all, no not for 3 years space: therefore, if there be any default in this, it was in the houses Proposition only, not in the king's Answer; who was not obliged to grant

* In my "Breviate of the Prelates' Usur-"pation," Epistle dedicatory and Appendix. 'The Antipathy of English Prelacy,' Part ii.

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us in this particular, or any other, more than we desired. 2. After the 3 years expiration, the Presbyterian government must remain till a new be agreed upon by the consent of the king and both houses, upon conference and advice with the Assembly of Divines; or that further established, if found best and most suitable, in the *interim*. So as now, upon all the Branches of this Treaty, and the king's Answers thereunto, I conceive the king's Answers to be completely satisfactory in that sense I have stated and debated the question, as well for the Safety and Settlement of our Church and Religion as kingdom, though the king's Answers come not fully up to the Propositions in some two or three particulars only. It is storied of Alexander the Great, That one demanding of him to give him a penny, he returned him this Answer. 'That it 'was too little for Alexander to give': whereupon he demanded a talent of him; whereto he replied, 'It was too much for a beggar to receive.' We have demanded of the king, in our own and the kingdom's behalf, in former treaties, but a penny in comparison, and then the king refused to grant it, though we would have been heartily contented with it, or less; but now we have, in this Treaty, demanded a talent, and the king hath not thought it over much for him to grant, or for us to receive; and if we shall now ungratefully reject it, we know not why ourselves, unless it be that God hath infatuated and designed us unto speedy ruin for our sins, I must needs take up our Saviour's lamentation over dying Jerusalem, in relation unto England, 'Oh that thou hadst 'known, in this thy day, the things that belong 'unto thy peace; but now they are hid from 'thine eyes!' And I pray God they be not so far hid, that we shall never live to see any Peace or Settlement at all in church or state, if we embrace not these concessions now; the best, the largest, the honourablest, the safest, and most beneficial, that ever were tendered to any people by a king; which if we now reject, we shall never have the moiety of them granted to us again, no, though 'we seek them care-'fully with tears,' as Esau did his last blessing; when he had overslipt his time but a very little.

"Mr. Speaker; For my part, I value no men's bare opinions in this debate, but their reasons which inforce them; and, if I have not quite lost my reason and senses too, I have not heard one solid reason given by any gentleman that differs from me, why the king's Concessions upon the whole Treaty should be thought so unsatisfactory as utterly to reject them, and proceed no further. Most of the reasons to the contrary have been either clear mistakes, both of the question and king's Answers, or our own Propositions, (and mistakes are no reasons, but irrational) or a fear in some purchasers of Bishops Lands of an ill bargain, which I presume I have fully satisfied; or, that which is to me the most unreasonable, though many gentlemen's chief and only reason, the Army's discontent and dissatisfaction, in case we vote the Treaty satisfactory; to which I shall give this Answer: That though I honour the Army for their good services heretofore in the field and wars, and should as readily gratify all their just Desires, as soldiers, as any man; yet I must, with just disdain and censure, look upon their magisterial encroachments upon our councils, and prescriptions to us what to vote in our debates, or else they will be incensed, as the highest violation to the freedom, honour, and privileges of parliament, not to be precedented in former times, nor now to be endured. We all sit here, freely to speak our own minds, not the Army's pleasure; to follow our own consciences and judgments, not their imperious dictates; to satisfy the whole kingdom, and those who have intrusted and sent us hither, whose representatives and servants we are, not the Army's, by pitching upon that which is most conducing to their welfare and our own too; not to satisfy the Army in all their unreasonable extravagant demands, who are but ours and the kingdom's servants, not masters, to the kingdom's, people's, our own ruin and the Army's too: and so much the rather, because I have observed a dangerous practice in some officers and members only of the Army, to make use of the whole Army's name, without their privity or consent, forcibly to drive on their own private pernicious designs in the house, and to fright and cudgel us into Votes, as some say we were cudgelled into a Treaty, with the very name of the Army, without any reason at all; and if that will not do the feat, then they presently mutiny and bring up the Army itself to or near the houses doors, against us, contrary to our express commands, as heretofore and now they have done, to force us to vote against our judgments, consciences, reason, and the public safety, whatever they shall dictate, be it never so absurd, dishonourable to ourselves, or destructive to the kingdom; and though the Army, and those who usurp their name, be not present at our debates, (as they seldom are, though some of them are members) yet if they suit not with their fore-plotted designs, they will presently censure them, and those that pass them, without hearing or weighing of their reasons: and though they contend most earnestly for liberty of conscience for themselves, and all others of their confederacy out of the house, and for a liberty for their own party to enter their particular Protestations and Dissents in the house to any Vote they like not, yet they will admit no liberty of conscience, nor freedom of dissenting, to us, nor us to be masters of our own reason, votes or discretion in the house itself, where we should have most freedom, as is evident by sundry magisterial, over-ruling, censorious passages in their late Remonstrance, Nov. 20; and if we vote not fully with them, they presently take us for apostates and violaters of our trust, fit not only to be secluded the house for the present, but not to be intrusted for the future; to such an height of insolency are they

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grown: therefore, for any members to make their pleasing or displeasing of the Army, who thus abuse them, the sole or principal reason of their *Aye* or *No*, is such a solecism and breach of privilege as ought not now to be named, much less pressed as a reason, without some severe censure or exclusion from the house; especially in this instant debate for the Settlement of our Peace, to which those who make a trade of war will certainly be most averse, having little else to live on or support their present greatness, if the wars be ended.—Yea, but they further object, That if we discontent the Army, by voting the king's Answers satisfactory, we are undone; they will all lay down their arms, as one commander of eminency hath here openly told you he must do, and serve us no longer; and then what will become of us and all our faithful friends? I answer, That I hope the Army will not be so sullen as to desert or turn against us, for voting what our consciences and judgments prompt us is most for theirs, ours, and the kingdom's safety; and that without hearing or scanning our debates: if they be, I shall not much value the protection of such unconstant, mutinous, and unreasonable servants; and I doubt not but, if they desert us on so slight a ground, God himself and the whole kingdom will stand by us, who else, I fear, will both unanimously rise up against us, to ours and the Army's destruction: and if the king and we shall happily close upon this Treaty, I hope we shall have no great need of their future service: however, *fiat justitia, ruat cælum*, let us do our duty and leave the issue to God. It is better for us to perish doing our own duties, than to be justly destroyed by following other men's wills against our duties and consciences too. He that thinks to save himself, or the kingdom, by such a sinful and unworthy compliance, shall be certain to lose both himself and it in the conclusion.—However, both the arguments of displeasing the Army, and the ill consequences of it, are altogether extraneous and impertinent to the question, and amount but to this *non sequitur*. The Army will not have us proceed further upon the Treaty to settle Peace; *ergo*, the king's Answers are unsatisfactory. What will all wise men, what will the kingdom, what will Scotland, Ireland, and our friends abroad (whose eyes are all intent upon the result of the Treaty, and must be satisfied in the reasons of our breach upon it, lest they all fall foul upon us) think of such absurd nonsense as this? Had the Treaty been only between the king and the army, not him and the houses, this reason might have contented some men, without expressing any grounds of their dissatisfaction, of which they think the Army might be more competent judges than the parliament; but the Treaty being only between the king and both houses, not the Army, that we, who are the only parties to the Treaty, and judges of the satisfactoriness thereof, should set aside our own reasons, consciences, and judgments, and make the Army's absolute peremptory will the only principal reason of our dissatisfactoriness with the king's concessions, (which I am confident not ten men in the Army ever heard of, but by report alone, and never seriously scanned as we have done) is such an absurdity as will render us for ever both ridiculous and odious to all our friends and foes, to the present, and to future ages. For shame, therefore, let us no more insist upon such extravagancies!

"Having answered these two Iron Arguments against the Unsatisfactoriness of the king's Answers, and all others hitherto insisted on, I humbly conceive I have fully satisfied every rational man's conscience, that the king hath granted us all we have demanded, that is really necessary or conducing to the speedy settlement of a lasting and well-grounded Peace, and the future security of our state, kingdom, church, religion, against all feared danger from the king or any others; and I shall challenge, and put it to the conscience of, any gentleman dissenting from me, whether he can propound any one thing more (except an Oath which is intended when all is concluded) essential, for the fuller and firmer settling of our laws, liberties, privileges, lives, estates, religion, kingdoms, parliaments, army, and satisfying of all public interests, than what have been already propounded, and the king compleatly granted in this Treaty. If then the king hath granted us every thing ourselves, during 7 years advice and consultation, could possibly think of for our security and settlement, far more than we ourselves demanded in two or three former treaties, and would have been glad with the moiety of it within these few months, and ten thousand times more than we can gain by a breach with the king upon such disadvantages, why should we not all rest thankfully contented; and bless our God that he hath at last inclined the king's heart to grant so much, whereas heretofore he refused to condescend to the tythe of that he hath granted now? doubtless we can never answer such a peevish absurb ingratitude either to God or man; and those counties, cities, and boroughs, who have sent us hither in their steads, will conn us little thanks for refusing Peace upon such honourable, beneficial, and safe Concessions, as neither they nor we can ever hereafter hope for, if rejected now, upon no grounds of reason, but only upon peevishness and will.—If any object, as some have done, That the king indeed hath granted all we can desire; yet he is so perfidious in his oaths and promises, as we have found by sad experience in all his reign, that we cannot trust him; and therefore all he hath granted us is to little purpose: I answer, That if all he hath granted were still in his own power to dissolve or recall at pleasure, this argument were material; but since he hath put all our desired security into our hands alone, and such as ourselves shall appoint, and left nothing unto his sole or whole disposal without us, the objection is but weak, and recoils upon ourselves, that we dare not trust ourselves with

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our own safety. If a shark come to borrow money of a usurer, whose word and bond he dares not take; yet if he gives him a pawn or mortgage of his lands in hand, he will then trust him without any scruple: the king hath given us such a sufficient pawn, or mortgage, and put it into our own hands, therefore we need not doubt him now.—Besides, if we cannot trust him for what he hath granted, it was a mockery of him and the kingdom to treat with him to grant it; and, if so, the kingdom will say they have as little cause hereafter to trust us, for such palpable dissimulation, as the king. For my part, I have seen so much experience in the world, that I dare trust none with my own or the kingdom's safety but God alone. 'Put not your trust in princes, nor in any son of man, in whom there is no help. It is better to trust in the Lord, than to put confidence in men or Princes', have been my maxims; and we have seen strange mutabilities and perfidiousness in men of all sorts since our troubles, that we can trust neither the king nor prince, city nor country, this general nor that general, this army nor those that were before it, nor yet ourselves, who are jealous of one another, treacherous one to another, distrustful of all, and now distrusted by all, ever since we began to confide in men, and found out a new generation of confiding men. Let us begin to trust in God alone in the first place, and then we need not distrust the king for time to come any more than others, or ourselves, whose dear-bought experience of breach of former trusts and promises, will make him more careful of violating his present concessions for the future; especially having put such security into our own hands to bind him to an exact performance.

"But it hath been objected by the General and Officers of the Army, in their late Remonstrance (p. 1078) and by some who have spoken in this debate, who would teach the king before-hand how to elude and vacate all his grants and promises, 'That all the king's 'Concessions are and will be void, because 'made by duress of imprisonment, whilst under 'restraint.' I answer, That the king, during all this Treaty, hath been in such a condition of honour, freedom, and safety, and had such free liberty of consultation and debate, upon his own earnest desire and his party's too, as well as the houses, that he cannot, either with honour or justice, void these concessions by any pretext of duress; especially since he has denied some things, and had the same liberty not to have granted other things, had he been pleased not to grant them. Besides, the king is to confirm the whole Treaty by acts of parliament, to which he is to give his royal assent, and oath too, when all is concluded, and that in a free condition; and then no duress can void them, no more than Magna Charta itself, first gained by the sword, and oft confirmed in parliament by our kings, against their wills. In 1223, the Barons demanding of king Henry 3. the confirmation of the Great Charter and their liberties, according to his oath upon the conclusion of the peace with Lewis of France, William Briwere, one of his (evil) Counsel, answered 'That the liber-'ties they demanded were not to be observed 'nor confirmed, because they were forcibly 'extorted;' whereupon words growing between the Barons, the archbishop of Canterbury, and Briwere, the king closed up the strife with this honourable Answer, 'All of us have sworn to 'these Liberties, and that which we have as-'sented and sworn to, all of us are bound to 'observe*.' We to this day enjoy these liberties, being confirmed by act of parliament, and sworn to by our kings, though forcibly extorted at the first. And so may we much more enjoy the king's Concessions, when turned into acts, and sealed with a sacred oath, superadded to a royal assent.

"Mr. Speaker; I have now waded through the whole Treaty, and given you the best reasons I can out of every parcel of it, to prove the satisfactoriness of the king's Answers, and answered all Objections hitherto made against my conclusion; I shall now, by your patience and leave, proceed a step or two further, to evidence, by clear demonstrations and reasons to your consciences, 1. That our closing with the king upon these Concessions, is the only, speediest, best, legalist, safest, and certainest, way to settle a firm and lasting Peace between the king, parliament, and his three kingdoms: 2. That the new way to Peace and Settlement, proposed and prosecuted by the General, the Officers of the Army, and their friends in the house, is a most desperate, dishonourable, unsafe course; and a certain way to speedy ruin both of our king, parliaments, army, city, country, and three kingdoms too; yea, a mere project of the Jesuits to destroy the king; dissolve this present and all future parliaments; betray Ireland to the Popish Rebels; subvert our religion, reformation, laws, liberties, kingdoms; introduce Popery, tyranny, slavery; and make us a prey to our foreign enemies. And if I make this clearly appear to all your consciences and reasons, I beseech you all, lay your hands upon your hearts, and consider what you vote in this debate, lest you become instrumental to the Jesuits and accomplish these their designs, instead of settling a safe well-grounded Peace upon their new-frangled foundations of liberty and safety, but indeed of slavery and ruin.—To begin with the first branch of the first of these assertions, That our closing with the king upon these Concessions, is the only way to settle a firm and lasting Peace between the king, the parliament, and his three kingdoms. Not to insist upon this general maxim, That Treaties, in all ages, have been the usual and only way to conclude and settle peace and unity between kings and their people, and all dissenting kingdoms, states, persons; and therefore this Treaty now is the only way to our present

* In our First Volume, p. 10.

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Peace and Settlement, I shall touch only upon particulars. 1st, That yourselves in this house, and the lords in their house, have severally and jointly voted and resolved over and over heretofore, and published to all the world, from time to time, in sundry Declarations, Remonstrances, and other printed Papers since the king's departure from the houses, and the late wars, That it has been, is, and always shall be, their cordial desire, and sincere unwearied endeavour, to settle a speedy, firm, and well-grounded Peace between his majesty, his people, and three kingdoms; and that this hath been the only end they have aimed at in all their wars and treaties with the king: That the king's presence with, and residence near, his parliament, is of so great necessity and importance towards the removal of our distractions, fears, jealousies; the happy beginning of confidence and contentment between the king and his people, and the settlement and preservation of the peace and safety of the kingdom, and king's person, that they thought they had not discharged their duties until they had declared and backed it with some reasons: That those persons who advised his majesty to absent himself from his parliament, are an obstruction and enemies to the Peace of this kingdom, and justly suspected to be favourers of the Rebellion in Ireland: That the sending of Propositions, and a Treaty with the king, and a good close with him and his commissioners thereupon, is the only way to settle a firm, safe, and lasting Peace: and this is the only way and means you have hitherto pursued to obtain such a Peace and Settlement. 2dly, The Parliament of Scotland, and their Commissioners here employed, have voted and resolved this the only way and means to such a Peace and Settlement, both for this kingdom and their own too; and have joined with us in all former Treatics, and promoted this. 3dly, The generality of the people, and all the wisest and most cordial to the public interest, both of the parliament and kingdom, have approved and desired a Treaty and close with the king, as the only means of Peace and Settlement, as is evident by their frequent and multiplied Petitions to both houses. 4thly, The king himself, and all his party, when tired out with the miseries of war, have desired and embraced a Treaty, as the only means to close our bleeding wounds, and make a firm union between the king, parliament, and three kingdoms. 5thly, The General, Officers, and Council of the Army themselves, when in their right senses, and not intoxicated with self-conceit and Jesuitical principles, have publicly declared, That compliance by a Treaty with the king, and restitution of him to a condition of honour, freedom, and safety, was the only way to a lasting Peace and Settlement; yea, the Grandees of the Army were so over-forward to comply, treat, and close with him upon terms more dishonourable, and less safe, than these we are now a closing with him in this Treaty, that when they falsely impeached the 11 Members of the house of commons, in July 1647, for holding secret intelligence and correspondence only with him, without consent of the house, themselves at that very instant, without and against consent of the houses, were secretly treating and complying with him upon Proposals framed by themselves; and persuaded the king to reject the houses Propositions, sent to his majesty to Hampton-Court, to treat upon those they had tendered to him privately, without the houses privity, as more advantageous to him and his party than the parliament's; declaring to all the world, that they were as cordial to the king, as desirous to bring him up to London, and to restore him to a condition of honour, freedom, and safety, and more favourable to Delinquents in mitigating their fines and punishments, than the houses. All which they are not ashamed to acknowledge in their Remonstrance of the 20th of last month, yet with this detestable brand upon themselves, 'That their compli-'ances with him were but negative. Secondly, 'What we declared of moderation was but 'hypothetical, with careful caution and a sav-'ing for the public interest, according to our 'then understanding of it, &c. Yet, how-'ever in that degree of compliance admitted in 'that kind, we find matter of acknowledg-'ment before the Lord concerning our error, 'frailty, unbelief, and carnal councils therein; 'and we bless him that preserved us from 'worse.' If their Compliance and Treaty with the king. &c. was but hypothetical, (as I fear this very Remonstrance and their actings since all are, or at leastwise Jesuitical) I hope our Treaty shall be real, and not in their power to make it hypocritical; as they have attempted, by endeavouring to force us, by this Remonstrance and their subsequent Advance to London, to break it off; to render us odious to our king and kingdoms, to God, and all good men, and translate the odium of it from themselves to us. And because themselves may discover their own apostacy from their former principles, which they would falsely father upon us, and how justifiable and advantageous to the kingdom our closing with the king upon these Propositions are before all the world, be pleased to take notice of these following Passages in their own Letters, Declarations, and Remonstrances, made upon mature advice a year before this Treaty.—In the humble Remonstrance from his Excellency and the Army under his command, presented to the Commissioners at St. Alban's, June 23, 1647, (see p. 647) they print, 'Whereas there 'have been scandalous informations presented 'to the houses, and industriously published in 'print, importing as if his majesty were kept 'as prisoner amongst us, barbarously and un-'civilly used; we cannot but declare that the 'same, and all other suggestions of that sort, 'are most false, scandalous, and absolutely 'contrary, not only to our declared Desires, 'but also to our principles; which are most 'clearly for a general right and just freedom

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'to all: and therefore, upon this occasion, we 'cannot but declare particularly, That we de- 'sire the same for the king, and others of his 'party, so far as can consist with common right 'and freedom, and with the security of the 'same for the future: and we do further 'clearly confess, we do not see how there can 'be any Peace to the kingdom, firm or lasting, 'without a due consideration of, and provision 'for, the rights, quiet, and immunity of his 'majesty's royal family, and his late partа- 'kers: and herein we think that tender and 'equitable dealing, as supposing their cause 'had been ours, and a spirit of common love 'and justice, diffusing itself to the good and 'preservation of all, will make up the most 'glorious conquest over their hearts, if God in 'his mercy see it good, to make them and the 'whole people of the land lasting friends.' And in the Representaion of the Army, June 14, 1647, there are the like expressions of their judgment in relation to the king and his party too.—In a Letter of sir Tho. Fairfax's to both houses giving an account of some transactions between his majesty and the Army, dated from Reading, July 8, 1647, (p. 679) there is this passage, which he there declares to be the general sense of all or most part of the officers in the Army; 'In general, we humbly con- 'ceive that, to avoid all harshness, and afford 'all kind usages to his majesty's person in 'things consisting with the Peace and Safety 'of the kingdom, is the most Christian, honour- 'able, and prudent way: and in all things we 'think, that tender, equitable and moderate 'dealing, both towards his majesty and his 'royal family, and late party, so far as may 'stand with the Safety of the kingdom, and 'Security to our common Rights and Liberties, 'is the most hopeful course to take away the 'seeds of war, or future feuds amongst us, for 'posterity, and to procure a lasting Peace and a 'government in this distracted nation.'—Since this, the Officers and the Army, in their Pro- posals, Aug. 1, 1647 (p. 738) for the Settle- ment of a firm Peace, have this for one, 'That 'his majesty's person, queen, and royal issue, 'may be restored to a condition of safety, ho- 'nour, and freedom in this nation, without 'diminution of their personal rights, or further 'limitation to the exercise of the regal power, 'than according to the particulars aforegoing.' These Proposals of the Army were so pleasing to his majesty, that, in his Answer to the Pro- positions presented to him at Hampton-Court, Sept. 9, 1647, (p. 778) by the Commissioners of both houses and of the kingdom of Scot- land; he refused to grant the Propositions by them tendered, 'as being destructive to many 'principal interests of the Army, and of all 'those whose affections concurred with them.' And he gave this further Answer to them, 'That his majesty having seen the Proposals of 'the Army to the Commissioners from his two 'houses of parliament residing with them, 'and with them to be treated on, in order 'to the clearing and securing the Rights 'and Liberties of the kingdom, as to the set- 'tling of a just and a lasting Peace; to which 'Proposals, as he conceives, his two houses 'not to be strangers, so he believes they will 'think with him, that they more conduce to the 'satisfaction of all interests, and may be a fitter 'foundation for a lasting Peace, than the Propo- 'sitions which at this time are tendered to him, &c'—Lo, here we have the General, Officers, and Army itself, so zealous for a Personal Treaty with the king, for Settlement of this kingdom's Peace, and the carrying on of their own inter- ests, that themselves draw up Proposals for a Treaty with him, without the houses privity; yea, prevail with him to lay aside the houses Propositions to treat upon theirs, as more advantageous to him and his, and less bene- ficial to the kingdom's interest: in which Treaty he desires, That Commissioners from the Army, whose the Proposals were, might likewise be admitted; and yet those zealots for a treaty then, are most furious to break off our treaty now, even by open force and vio- lence, almost upon the very close, though they never made any opposition against it, during all its agitation; perchance to bring on another Treaty with the king upon their own Proposals, wherein the king and they will be the only treaters, and the houses but idle spec- tators; to rob them of the honour and benefit expected by our present Treaty, and of set- tling the kingdom's Peace on so good terms for the public interest.—In fine; the General, and Army under his command, in their Re- monstrance of Aug. 18, 1647, (p. 758.) ap- proved and printed by order of the house of peers, do thus express their readiness and desire for the parliament's closing with the king upon good grounds, and his bringing up to London; (though now they cry out for nothing but Justice and Execution to be done upon him, as their capital Enemy): 'For our 'parts, we shall rejoice as much as any to see 'the king brought back to his parliament; and 'that not so much in place, as in affection and 'agreement, on such sound terms and grounds 'as may render both him and the kingdom 'safe, quiet, and happy; and shall be as 'ready as they to bring his majesty to London, 'when his being there may be likely to pro- 'duce (not greater disturbance or distractions, 'but) a Peace indeed; and that such as may 'not, with the shipwreck of the public interest, 'be shaped and moulded only to the private 'advantages of a particular party or faction; 'but bottomed chiefly on grounds of common 'and public welfare and security.' The Gene- ral, Officers, and Army, therefore, being so zealous for a Treaty and close with the king, in all these several Remonstrances, Papers, and Proposals, as the only hopeful way of set- tling and securing the kingdom's Peace, cannot, without the highest injury, and most detestable juggling, hypocrisy, and apostacy from their own engagements and principles, wherewith they do now falsely charge the house, dislike our present proceedings in the self-same way, upon

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his majesty's Concessions in this Treaty; which, by all these particular Resolutions, and the Army's own acknowledgments, is the only way of Peace and Settlement.—Next, as this is the only, so it is the speediest way of all others. If we now accept of these Concessions, the most whereof I have turned into bills already, and shall turn all the rest into bills by our next sitting, I see no reason but we may, in one fortnight, at least by the 1st Jan. next, have fully settled and concluded all things in difference between the king and us, to the general content and safety of all honest men; and so end the old and begin the new year with Peace: whereas, if we now break off, and let go all the king hath granted, I see no end of our wars and miseries, nor any probable means of Peace and Settlement in many years at least, if ever in this or the succeeding generation. And the speediest Remedy in this case (especially considering the kingdom is so far exhausted, that we know neither how to pay our public Debts, our Fleet, or Army their present Arrears, much less their future) must needs be the best, and be preferred before all others that will require more time and expence, and be more hazardous and contingent in the event.

"And as this is the speediest, so the best, legallest, safest, and certainest way of all others. 1. There is no danger nor hazard at all in it, nor any expence of money or effusion of blood; it is but accept, and then confirm by acts and oaths, and the work is presently done. If we think of Settlement in any other way, we must fight again, and that will be both costly and hazardous; and, when all is done, we must treat again, perchance upon worse terms, else there will be no Peace nor Settlement. 2. This is the way we have ever formerly pitched upon, the way all parties have consented to and approved, but those alone who desire neither Peace nor Settlement; therefore best, safest, and durablest. 3. It is the legallest, safest, certainest, because a Peace and Settlement, by acts of parliament, is the highest security to Englishmen under Heaven; to which king, lords, commons, and in them the whole kingdom, consent, and will all acquiesce in what is done, without question or future dispute. What Peace soever is settled otherwise, either by a bare Order or Ordinance of the houses, or by the sword and power alone, will neither be sure, safe, nor lasting, no longer than maintained by the sword; and every man will be sure to question and unsettle all again upon the least advantage given. The highest Security that England ever had was Magna Charta, and Charta de Foresta; these were gained by the sword, but not held by it.—That which hath kept and perpetuated these since their making, was those acts of parliament which confirmed them: These are our only security for whatever we enjoy, which will survive all other we can think of. *Nullum violentum est diuturnum*; whereas privileges kept and held by public acts will last for ever, and be entailed to us and our posterities, with peace and happiness attending them. This was the way of settling Peace between kings and subjects heretofore, in Henry 3. Edw. 2. Rd. 2. and Henry 6th's reigns; and an Act of Pacification and Oblivion was the only safe and usual way the parliaments both of England and Scotland lately fixed on, to settle a firm and lasting Peace between both nations and kingdoms: all other Settlements will be but like an ulcer skinned over, which will soon break out again, with greater pain and danger than before.

"Secondly, For the new Way proposed by the Army for a firm Peace and Settlement; it is certainly the most desperate, dishonourable, dangerous, and destructive, that can possibly be imagined; and such as we can neither in honour, justice, conscience, nor prudence embrace. To examine it a little by parts. The first way to Peace and Settlement propounded by them, is presently to break off the Treaty; and that, contrary to our public faith to the king and kingdom, yea, to our own Votes, before the Treaty was fully ended: This is the drift of their whole Remonstrance; which, as it will totally, if not finally, deprive us of the fruit and benefit of all the king's Concessions in the Treaty, (all which are, by mutual agreement, no way obligatory to either party in any particular unless all be agreed) being all that we can possibly think of for our safety and advantage, and more than any nation under Heaven yet enjoyed; so it will inevitably cast us upon present ways of new distractions, confusions, and civil wars, now we are quite exhausted; and end at last in our absoluto destruction, instead of a well-grounded Peace; and those blessings we may forthwith enjoy for the very accepting, without further charge or trouble. But if God, beyond our hopes, should, after any new embroilments give us Peace, yet it must be upon a new Treaty; and that, perchance, upon far worse terms, than now are offered: therefore it must needs be dangerous to reject a safe way, to follow a hazardous or destructive one.

"The next thing proposed by the Army, in their Remonstrance, for a speedy Peace and Settlement, is the bringing of the king to speedy Justice for all his treasons and bloodshed in the late wars, and then to depose and execute him as the greatest capital malefactor in the kingdom. This certainly is a very dangerous and unlikely way to Peace and Settlement: For, 1. 'Smiting the Shepherd is 'the way to scatter, not unite, the sheep.' The slaying of the king or general in the field scatters and dissolves the Army, not secures them. To cut off an aching head, is the way to destroy, not cure, a diseased body. Such kind of state policy may destroy or disturb, but never settle us in perfect Peace. The Prince, his next heir, the queen, the duke of York, all his children, and allies, both at home and abroad, will certainly meditate revenge; and all kings in Christendom will

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assist them, even for their own interest and safety, lest it should become a precedent for themselves. And will this then secure, or be a likely way to Peace or Settlement? 2. The greatest part of the members in both houses, the lords, gentlemen, and all sorts of people throughout the kingdom, the whole kingdoms of Scotland and Ireland, (who have as great an interest in the king's person, being their lawful king, as we have; and are obliged, by allegiance and Covenant, to protect his person and crown from violence) will unanimously, as one man, oppose and protest against it; and, by force of arms, endeavour to bring those to execution who shall presume to advise or attempt to depose or destroy the king, in any kind, contrary to their allegiance and Solemn Covenant: yea, all Protestant realms, churches, states in foreign parts will abhor both the fact, and adjudge it contrary to their principles and religion, as that which may irritate Popish kings and princes to take up arms to ruin them, lest they should fall into the like Jesuitical practices. And can this then be a safe or speedy way to Peace and Settlement, especially when we know not what government shall succeed upon it, and can expect nothing but bloody consequences from such a bloody Jesuitical advice? 3. I never read of any Peace or Settlement in any kingdom where King-killing was practised or approved. When the Roman armies began once to kill their emperors, and cut off their heads, they were scarce ever free from civil wars. One army set up one emperor, another army another, and the senate a third, who always warred till they had cut off one anothers heads. Most of those emperors had very short reigns, few of them above a year or two, and some of them scarce two months, but most of them untimely deaths. In Sclavonia and Norway, where they had a law that he that slew a Tyrant-King should succeed him in the throne, they had almost every year a new king, and perpetual wars and discords; not one of all their kings, for above 100 years together, ever came to a natural death, but was murdered as a tyrant, and succeeded by a worse and greater tyrant, as Saxo Grammaticus and Neubrigensis testify.—And, in the Sacred Story itself, it is very observable, that after the ten Tribes revolted from Rehoboam, though by God's justice and approbation, for Solomon's sins, they had never any Peace or Settlement, but perpetual wars with one kingdom or another, or between themselves; their kings, or most of them, were all tyrants and idolaters; and, by the just hand of God, for the most part tumultuously slain and murdered, one of and by another, who succeeded them; he that murdered his predecessor being usually slain by his successor, or his predecessor's sons, servants, or by the people of the land, in a tumultuous way. In 2 Kings, xv. we read in that one chapter of no less than four of those kings slain, one by another: and as for the people under these kings, they had never any rest, peace, settlement, or freedom; but lived under the greatest misery and oppression that ever any subjects under Heaven did, as the Sacred History records. This King-killing certainly can be then no probable way at all to peace, safety, settlement, or freedom; but the Jesuits policy to deprive us eternally of all these, and of God and religion to boot, as it did the ten tribes heretofore.—4. This way to Peace and Settlement is directly contrary to all the former Engagements, Oaths, and several Petitions, Declarations, Remonstrances, Protestations, and professions of both houses of parliament to the king, kingdom, people; wherein we have always protested and held forth unto them, both before and since the wars. Now for us, after all these multiplied, reiterated Protestations, Promises, Engagements, Declarations, Remonstrances, to all the world, from the beginning of the differences and wars till now, to think or talk of deposing and destroying the king, and altering the government, as the only safe and speedy way to Peace and Settlement, as the Army-Remonstrants prescribe, would be such a most detestable breach of public faith, such a most perfidious, treacherous, unrighteous, and wicked act, as not only God, angels, and good men, but the very worst of Turks and devils would abhor; and therefore it is a miracle to me, that these precious saints should thus impudently, before all the world, propose it to the house, and force you to pursue it, to stain your reputation, and make you execrable before God and men. 5. The very Oath of Allegiance, which every one of us hath taken upon our first admission to be members, engageth us not only not to offer any violence or hurt to his majesty's person, state, or government; but, in positive terms, 'To 'bear faith and true allegiance to his majesty, 'his heirs and successors; and him and them 'to defend to the uttermost of our power, 'against all conspiracies and attempts what-'soever, which shall be made against his or 'their persons, crown, or dignity; and from 'our hearts to abhor, detest and abjure, as 'impious and heretical, this Jesuitical and 'Popish doctrine, That Princes excommuni-'cated or deprived by the Pope,' (as it seems the king is now, for extirpating Episcopacy, Popery, Mass, and Prelacy, out of his dominions by his present Concessions, without any possibility or hopes of replanting) 'may be de-'posed or murdered by their subjects, or any 'other whatsoever;' which Jesuitical contrivance and practice, as our whole state and parliament, in the Statutes of 3 Jac. c. 1, 4, 5. 35 Eliz. c. 1, 2, and other acts resolve, is the only way to unsettle, ruin, and subvert, not to settle and establish, the peace and government of our realm. And both houses, since this parliament, have, by a solemn Protestation first, and by a solemn League and Covenant since, with hands lifted up to the Most High God, engaged both themselves and the three kingdoms of England, Scotland, and Ireland, by a most sacred and serious Vow and Protes-

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tation, purposely made and prescribed by them, 'For the honour and happiness of the 'king and his posterity, and the true public 'liberty, safety, and peace of the three king-'doms,' (as the Title and Preface declare) 'sincerely, really, and constantly to endeavour, 'with their estates and lives, to preserve and 'defend the king's majesty's person and au-'thority, in the preservation and defence of 'the true religion and liberties of the kingdom,' (which he hath now fully and actually performed by his Concessions in this Treaty) 'that 'the world may bear witness with our consci-'ences of our loyalty; and that we have no 'thoughts or intentions to diminish his ma-'jesty's just power or greatness: and shall 'also, with all faithfulness, endeavour the dis-'covery of all such as shall be incendiaries or 'evil instruments, by dividing the king from 'his people, that they may be brought to speedy 'trial, and receive condign punishment: and 'shall not suffer themselves, directly or indi-'rectly, by whatsoever combination or terror, 'to be withdrawn or make defection from this 'Covenant; but shall, all the days of their lives, 'really and constantly continue therein, against 'all opposition, and promote the same against 'all lets and impediments whatsoever. And 'this Covenant we all made in the Presence 'of Almighty God, the Searcher of all Hearts, 'with a real intention to perform the same, 'as we shall answer at that great day, when 'the secrets of all hearts shall be disclosed.'—Now, how we, who are members of this house, or any who are subjects of our three kingdoms, or officers and soldiers in the Army, who have taken this oath of allegiance, protestation, league or covenant, or any of them, (as some have done all of them, or two of them at least sundry times over) can, without the highest perjury to God, treachery to the king, perfidiousness to the kingdom, infamy to the world, scandal to the protestant religion, and eternal dishonour to the parliament and themselves, atheistically break through or elude all those sacred and religious ties upon our souls, by a speedy public dethroning and decolling of the king, and disinheriting his posterity, as the Army-Remonstrants advise; and that in the open view of the world and that all seeing God, to whom we have thus appealed and sworn, (by those Jesuitical equivocations or distinctions, of which the Army's Remonstrance is full, or professions of our damnable hypocrisy in the breaking of them) transcends my understanding.—And for those who style themselves Saints, and charge as one of the highest crimes against the king, his frequent breach of oaths and promises, to transcend him and the Jesuits in this very sin, is such a monster of impiety, as, I conceive, could never have entered into the hearts of infidels, or the worst of men or devils. And to act this under a pretext to preserve and settle the Peace of the kingdom, is such a solecism, as militates point-blank against the very words and scope of our Protestation and Solemn League and Covenant; 'which crosseth not the Oaths of 'Supremacy and Allegiance, but more strongly 'engageth all men to preserve and defend the 'king's person and authority, in the preserva-'tion and defence of the true Religion and Li-'berties of the kingdom,' as the Assembly of Divines and both houses affirm in their 'Exhortation to take the Covenant:' which prescribes this as the only means of securing and preserving Peace in all the three kingdoms, to preserve the person and honour of the king, his crown and dignity, from any such violence and invasion as is now suggested by the Army; all of which do engage us, and all the three kingdoms, with our lives and fortunes, really and constantly, to oppose, against all lets and impediments, &c. and to bring those to condign punishment, as incendiaries and evil instruments, who suggest it: so as if the Army will proceed in this Jesuitical destructive way of treason and ruin, we, and all the three kingdoms, are solemnly engaged, with our estates and lives, unanimously to oppose and bring them to Justice.—And is this then the way to public Peace and Settlement, to raise another new war, to murder one another in a new quarrel; wherein the Army and their adherents must be the sole Malignants and enemies we must fight with? no, verily, but the high way to the kingdom's and Army's ruin, whose commissions we are obliged to revoke, whose contributions we must in conscience withdraw, and whose power we must with our own lives resist, unless we will be perjured, and guilty of breach of Covenant in the highest degree, if they persist in these Anti-covenant Demands.—6. Both houses having held a Personal Treaty with the king so lately, and he having granted us in that Treaty whatever we have or can demand for the safety and preservation of our religion, laws, and liberties; and both houses engaged themselves by Vote, in Answer to the king's Propositions, to restore him to a condition of honour, freedom, and safety, according to the laws of the realm, (which was the Army's own Proposals in his behalf in August 1647) we can neither in honour, honesty, justice, or conscience, were he ten thousand times worse than the Army would render him, depose and bring him to execution; it being against all the rules of justice and honour, between two professed enemies, who had no relation one to another, much more between king and subjects in a Civil War, and a thing without precedent in any age. To this the Army Remonstrance answers, 'That this would 'be thought an unreasonable and unbeseeming 'Demand in a Personal Treaty, between per-'sons standing both free and in equal balance 'of power; but not when one party is wholly 'subdued, captivated, imprisoned, and in the 'other's power.' But this certainly is a difference spun with a Jesuitical thread; for to treat with any king in our power, or out of it, on Articles of Peace, upon these terms, That if he consent to them, we will restore him to his throne with honour, freedom, and safety; and

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when he hath yielded us our Demands, then to depose him and cut off his head, is the highest breach of faith, truth, honour, and justice that can be imagined; and those who dare justify such perfidious and unchristian dealing, deserve rather the stile of Turks and equivocating Jesuits than pious Saints.—7. There is no precedent in Scripture that the General Assembly, or Sanhedrim of the Jews or Israelites, did ever judicially imprison, depose, or execute any one of the kings of Judah or Israel, though many of them were the grossest idolaters and wickedest princes under Heaven, who shed much innocent blood, and oppressed the people sundry ways. We know that David himself committed adultery with the wife of Uriah, a faithful servant and soldier, whilst he was with his general Joab in the field, and then afterwards caused him to be treacherously slain; yet neither the Assembly of the Elders, nor Joab and the Army under him, did impeach or crave Justice against him for these sins, though he lived impenitently in them. And when he numbered the people afterwards, for which sin 70,000 of his subjects lost their lives, yet he was not arraigned or deposed for it; and God (who is sovereignly just, though David was the principal malefactor in this case, if not the sole; and thereupon, when he saw the Angel that smote the people, cried out, 'Lo, I have sinned and done wickedly; 'but these sheep, what have they done? Let 'thy hand be against me and my father's 'house,') spared him and his houshold, though the principals, and punished the people, only, with death for this sin of his. After him Solomon, his son, a man eminent for wisdom and piety at first, apostatized to most gross idolatry of all sorts, to please his idolatrous wives, and became a great oppressor of his people, making their burdens very heavy, yet his subjects or soldiers did neither impeach or depose him for it; and though he was the principal offender, yet God spared him for David's sake, in not taken the ten Tribes from him for these sins during his life, though he rent them from his son Rehoboam, who was at most but accessory for his father's sins, not his own. True it is, some of the idolatrous kings of Israel, by the just avenging hand of God, were slain by private conspiracies and popular tumults, in an illegal way; but not deposed nor arraigned by their Sanhedrims or general congregations; and those who slew them were sometimes slain by others who aspired to the crown, or by the people of the land, or by their children who succeeded them, and came to untimely tragical ends.—8. Though there be some precedents of Popish states and parliaments deposing their Popish kings and emperors at home, and in foreign parts, in an extraordinary way, by power of an armed party; yet there is no precedent of any one Protestant kingdom or state, that did ever yet judicially depose or bring to execution any of their kings or princes, though never so bad, whether Protestants or Papists: and the Protestants in France, though some of their kings, when they had invested them in their thrones, became apostates to Popery, and persecutors of their people, albeit they resisted them by force of arms in the field to preserve their lives, did never once attempt to pull them from their thrones, or bring their persons unto Justice; and I hope our Protestant parliament will never make the first precedent in this kind, nor stain their honour or Religion with the blood of a Protestant king, against so many Oaths, Protestations, Covenants, Declarations, and Remonstrances made and published by them to the contrary. 9. For the precedents of Edw. 2. and Rd. 2. in times of Popery, they were rather forcible resignations by power of an Army, than judicial deprivations, neither of them being ever legally arrainged and brought to trial in parliament. And Mortimer, who had the chief hand in deposing Edw. 2. was, in the parliament of 4 Edw. 3. impeached, condemned, and executed as a traitor, and guilty of high treason, for murdering Edw. 2. at Berkeley-Castle, after he was deposed; and sir Simon de Bereford, together with Thomas de Gurney and William de Ocle, were adjudged Traitors for assisting him therein, one of them executed, and great rewards promised to the apprehenders of the other two *. And as for R. 2. though he was deposed after Hen. 4. was crowned by pretence in parliament, yet this deposal was after his resignation only, not before it; and without any formal trial or arraignment, or any capital judgment of death against him, for which I find no precedent in any parliament of England, Scotland, France, nor yet in Denmark itself, though an elective kingdom; who though they justly deposed Christiern II. for his most abominable tyrannies and cruelties, yet they never adjudged or put him to death, but only restrained him as a prisoner. I shall only add this, that though the elective kingdoms of Hungary, Bohemia, Poland, Denmark, and Sweden have, in their parliaments and diets, deposed sundry of their kings for their wickedness and tyranny, yet they never judicially condemned any one of them to death, though Papists: and for a Protestant parliament, (to please an Army only, acted by Jesuits in this particular, to render both parliament, army, and our religion too, for ever execrable throughout the world, and set all men's pens and hand against them to their ruin) to begin such a bloody precedent as this, upon a most false pretext of settling Peace, contrary to the express command of God himself, who commands Christians 'to 'pray for kings, and all in authority, that they 'may live a quiet and peaceable life under them 'in all Godliness and honesty,' not to depose or cut off their heads as the only way to Peace and Settlement, will not only be scandalous but monstrous.

"The next thing the Army propose for a present Peace and Settlement, is 'The execu-

* See vol. i. p. 38. † Ibid. p. 251. et seq.

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'ting of the Prince if he come not over upon 'summons at a short day, and give not satis-'faction to the houses; or else to declare him 'and the duke of York, if they appear not 'upon summons, to be uncapable of any trust 'or government in this kingdom or any domi-'minions thereunto belonging, and thence to 'stand exiled for ever as enemies and traitors; 'and to die without mercy, if ever taken or 'found therein.' (see p. 1121) A Jesuitical inevitable way to civil wars and ruin: for the king being deposed and cut off, the Prince, no doubt, is next heir to the crown, both by the common law and the statute of 1 Jac. c. 1. to which, I doubt, a Vote or Ordinance of both houses only will be no such legal bar in any lawyer's or wise man's judgment, but that he will claim his right; and the generality of the kingdom, at least ten thousand to one, proclaim and embrace him for their lawful king, and assist him with their lives and fortunes both to regain and retain his right; being bound by their oath of supremacy and allegiance, and their Solemn League and Covenant, so to do. And must not this of necessity beget a present lasting war, instead of a speedy settled Peace? undoubtedly it will.—But consider further, that the Prince is not only heir apparent to the crown of England, but of Scotland and Ireland too; and though we reject him, yet undoubtedly Scotland and Ireland will readily embrace him as their lawful king, notwithstanding any Votes of ours; and will both unanimously assist him with their lives and fortunes to recover his right to the crown of England: and those two kingdoms falling off wholly from us, and proclaiming war against us, and joining with that potent party here, which certainly will appear in his behalf, out of a natural inclination to the right undoubted heir, or hopes of favour and preferment, since *plures solem orientem quam occidentem adorantur*, and with all his friends and allies forces from abroad; whether this will not be an unavoidable occasion, not only of a present war, but of certain destruction and desolation to this poor kingdom, and more especially to the Army and their adherents in this desperate advice, who must stand or fall upon their own bottom, without the least aid or contribution from any other, I desire them, and all others who have either eyes or brains in their heads, most seriously to consider.—But that which makes me most of all detest this desperate advice, is this, That it is the only way that can be thought upon to accomplish the Pope's and Jesuits designs to set up Popery, and subvert the Protestant religion, and professors of it, in all our three kingdoms, and in all foreign realms beyond the seas. For if this reforming parliament, which hath pretended so much to the extirpation of Popery, shall so far play the Popes and Jesuits, the undoubted contrivers of this Army's new model of our Peace and Settlement, as to depose and behead the king his father, and for ever disinherit him of the crown, and bring him as a traitor to die without mercy, if he come hither, it will so far provoke and exasperate him and the Duke, (being both young and of generous spirits, not thoroughly grounded in our religion, and under the queen's tuition, and in the power of this Popish party abroad; who will aggravate to the utmost these high affronts and injuries put upon them, and on whose protection they will be in this case necessitated to cast themselves (that there is great fear and probability they will immediately renounce such a bloody and detestable religion, as shall instigate us to such horrid actions and councils; and abominate all the professors of it, so as totally to abandon them, and turn Roman Catholics in good earnest, and then match themselves to great potent Popish alliances; and, by their purses, forces, and assistance, and of the Pope's and all his Catholick sons in foreign parts, (for the advancement of the Catholick cause, and of the popish, malignant, and discontented parties in England, Scotland, and Ireland, which will questionless receive and assist the Prince as their sovereign lord and king) invade our poor impoverished, divided, and distressed kingdom with such a power as, in all human probability, would speedily overrun and destroy this mutinous Army and the houses too; put them, with all their adherents, to the sword, without mercy or quarter, and disinherit them and their heirs for ever, to revenge their father's blood, and their own disinherison of the crown. Then Popery and Prelacy will both return with greater authority, power, and approbation than ever; over-spread our whole three kingdoms, and extirpate our religion, and the professors of it, as the most anti-monarchical, treacherous, perfidious, and bloody miscreants under Heaven; and excite all other foreign states and kingdoms to do the like, to prevent the springing up of a new generation of treacherous, king-killing, state-subverting Agitators, and hypocritical and perfidious Army-Saints; and engage all Protestant kingdoms, churches, and states, for their own security and vindication, to disclaim and declare against us.—This, questionless, will be the sad inevitable issue of this Jesuitical advice, if ever the houses or Army shall put it into actual execution, and not speedily prevent it; it being long since fore-plotted by the Jesuits, as I shall prove anon, at the beginning of the late war against the Scots.—But if the Prince and Duke be set aside, I would gladly learn of these Statists who and what king they would set up? not any of the king's posterity, certainly, since they disinherit two at a blow; and the blood being corrupted by the king's and their attainders, no other heir can inherit it by descent? it must escheat to the houses or Army's disposal, and become no kingdom at all but an elective one, if any: and is this the next way to Peace and Settlement? if so, I have certainly lost my reason and senses too. No, it will be a seminary of lasting wars, of which few elective kingdoms are long free; every new election producing commonly a new war, where there is no pretence of an heredi-

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tary succession, much more where a right heir is forcibly and unjustly disinherited. I shall give you but one instance, though I could name you divers, and that is a memorable one at home in our own kingdom.—King Henry I. having one only daughter, Maud, to reserve the crown to her after his death, caused her to be crowned, and made all the prelates and nobles swear to receive her as their queen and princes, after his decease: but she marrying afterwards to the emperor, and being out of the realm when king Henry died, the abp. of Canterbury, with the rest of the prelates and nobles, contrary to their oath and agreement, elected Stephen earl of Blois for their king, and put by Maud, the right heir: Stephen taking an oath to grant and confirm such laws and Liberties, for the kingdom's Peace and Settlement, as they propounded to him before his coronation: a very likely means to settle peace and prosperity as they imagined. But was the event answerable? No, verily; this cursed perjury and policy brought all the chief contrivers of it to great calamity and miserable ends, and ingendered a bloody civil war in the bowels of this kingdom, which continued no less than 17 years together, with interchangeable successes, till the whole kingdom was laid waste and desolate; most houses, towns, and villages burnt to the ground; their gardens and orchards quite destroyed; their monies and estates exhausted and plundered; their cattle and flocks consumed and eaten up; their fields over-grown with weeds instead of corn; most of the people devoured by the sword, famine, and pestilence; and 1100 castles, holds, and garrisons erected, which were no other but dens of thieves and plunderers. Such was the Peace and Settlement this policy produced. At last both parties, weary of the wars, out of pure necessity came to a Personal Treaty; and, in conclusion, made this agreement, That Stephen, having no issue of his body, should enjoy the crown during his life; and Henry, son and heir to Maud, and next heir also to Stephen, should succeed him after his death; and, in some sort, officiate with him in the kingdom's government during his life: and so these long-lasting wars concluded, after which there were at least 1100 castles demolished by order of parliament, that had been erected during these wars to the country's utter undoing. But if we disinherit the Prince and Duke, for ought I discern, if they suddenly recover not their possession of the crown of England, after one 7 years of war already elapsed, we may have 17 years more, and 17 after that again; and be reduced to a more miserable condition than our ancestors were in King Stephen's days; and that on these grounds: 1. The contest then was only between two competitors for this one kingdom, who had no other kingdoms of their own to side with them: but the Prince and Duke, being successively heirs as well to the crowns of Scotland and Ireland, as England, will have their aid and assistance, and of their foreign friends too, to carry on the wars till they have got possession of the crown of England upon better terms than ever they are like to enjoy it, if we accept of the king's concessions; which we can never expect from them, if we depose and kill the king, and disinherit and banish them for Traitors. 2. Stephen, the actual king, then had no issue at all, and Henry was next heir to the crown, both to Maud and him; so as both titles meeting in him, the controversy and wars must needs cease: but if we shall now set up a new king by election, either of the king's line or other wise, as long as there is either an elective king, or hereditary, to exclude this prince or duke, or either of their heirs, to whom the inheritance of the crown belongs of right, we can neither hope for, nor expect, Peace or Settlement in this kingdom; as the bloody and long-lived wars between the two houses of Lancaster and York will inform us, which never ended till they were both united in king Henry 7.

"The Army's next Proposal for settling Peace is as bad as any of the former, viz, 'The speedy dissolving of this present parliament;' which, if not presently consented to, for ought I discern by their last Declaration, they are resolved to dissolve it by open violence on the houses, which they threaten. A tempest certainly of the Jesuits raising, to blow down this parliament, as they would have blown up that of 3 Jac. with gunpowder. But is this a way to safety and settlement, to dissolve the only visible means of both? if the king, prince, duke, and parliament, be all dissolved and quite laid aside, what means or hopes at all of peace, of safety, of settlement, can any man in his right senses rationally see or imagine? is the overturning of the very foundations and pillars of our church and kingdom the best and safest way to settle and preserve them? is it not the only certain way to subvert and ruin them? such ways of Peace and Settlement as these are fitter for Bedlam than a parliament house.—Yea, but they have one infallible way more, to which all the rest are but preparatory, to settle Peace and Safety in our kingdoms, which they idolize almost, viz, 'A 'new Representative,' or mock parliament, to be immediately subscribed to and set up in post-haste; constituted neither of king nor lords, (the brats of tyranny and the Norman Conquest, as some of themselves pretend, as this representative is of the Army) nor yet of knights, citizens, and burgesses duly elected; but of a selected company of politic mechanics, pragmatical levellers, and statesmen of the General Council of the Army, (as they style themselves, by what commission I know not) who have usurped the whole power both of king, parliament, assembly, and all courts of justice, before their representative be settled, as a true pattern of it, which they are to imitate. A mere whimsical Utopia and Babel of confusion, invented by the Jesuits to please the vulgar rabble, and stir them up to mutinies against king, lords, commons, gentlemen, and their superiors of all ranks; that they alone

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may possess and sway the reins of government, magistracy, and ministry, to which they have now prepared their tumultuous spirits. Much might be said against it, but I shall contract myself, because nothing can be so much as probably pretended for it. 1. It is a new Jesuitical Popish Gunpowder Treason with a witness, which blows up and destroys at once the king, prince, duke, lords, knights of shires, citizens, burgesses, this present and all future parliaments, and noblest, antientest cities and boroughs of England. Is not this a blessed invention to settle Peace and Safety? 2. It blows up both our magistracy, ministry, laws, liberties, judges, and courts of justice at one crack; and breaks them all in pieces, to raise up this new Babel out of all their ruins. And is not this a blessed new invention of Jesuits and Saints to settle Peace? 3. It blows up all our Oaths of Supremacy and Allegiance, Protestation, Solemn League and Covenant; all former numerous Declarations, Remonstrances, Votes and Resolutions of one or both Houses of Parliament, 'not to alter the present form of government by king, lords, commons, and other ordinary magistrates and ministers 'of public justice; or let loose the golden reins of government to blasphemies, heresies, 'errors, libertinism, profaneness, schism, and all 'sorts of religions'. It unsettles all things, to settle that which is worse than nothing. And is this the way to safety, tranquillity, or settlement? 4. It inforceth a Subscription more unjust, unreasonable, illegal, tyrannical, and penal, than ever the bishops or pope invented; invents and sets up the very worst of monopolies, a monopoly of electors, of elections, and of representatives elected; ingrossing all men's antient rights, liberties, privileges of election, without consent or title, into the hands of those who never had a right unto them, the people; who are no freeholders, no free burgesses, free citizens, or men capable of votes by law; and these people no other than the Army themselves, and some of their levelling confederates, who must possess, judge, rule, usurp the rights and privileges of the whole kingdom, in point of electing parliament members, without charter or title. A cursed monopoly, which will discontent all men who are thus injuriously deprived of their rights, and produce nought else but infinite animosities, factions, fractions, and tumults, throughout the kingdom; and discontent all wise, all honest men, who will rather die than not oppose it unto death, as carrying the death and funeral of all peace, settlement, parliaments, and the kingdom in its bowels. And is this a fit tool to piece and unite our shattered kingdom, and settle Peace amongst us? 5. It no way extends to Ireland or our Islands, but to England only; it will require many years time and trial to settle and secure its own being, privileges, and power, and gain a general obedience to its new erected sovereignty: so that our church and state will be sunk and drowned, and Ireland inevitably lost, before this ark will or can be prepared for their safety. 6. This new Representative in this new Remonstrance is, *in terminis*, nought else but the very, 'Agreement of the People,' presented to the house by the Agitators, accompanied with some Jesuits, on the 9th of Nov. 1647; then, and in that very month, twice, by too express Votes, upon solemn debate, and an Ordinance of both houses in Dec. following, resolved to be destructive to the being of parliament, and to the fundamental government of the kingdom; a signal brand of disability and imprisonment imposed on the contrivers and presenters of it, and then condemned by the General and his Council of War, who shot one White to death for abetting it; of which more anon: therefore it seems a miracle to me that they should now be so vertiginous, rash, and audacious, as to tender this to the house again with such post-haste and violence, as the readiest, safest, and speediest course to settle Peace and Safety, and set aside the only means of Settlement, the Treaty. O the inconstancy and strange intoxications of these new Saints and Statists, who would make the houses as inconstant as themselves!

"Mr. Speaker; Since then I have clearly manifested to you, that all these Proposals of Peace and Settlement in the Army's late Remonstrance, are all and every of them most apparent precipices, Jesuitical contrivances, and labyrinths of speedy, imminent, unavoidable ruin and confusion to our king, prince, kingdoms, magistracy, ministry, church, religion, laws, liberties, government, the present, and all succeeding parliaments, and the Army too, it must needs be the very extremity of madness to let go that speedy, safe, and sure way to certain Peace, Security, and Settlement I have propounded, by accepting of the king's Concessions, to catch at such a false deceitful shadow of Settlement as this, which will ingulf us in endless wars and miseries. It is a rule in policy and divinity, *Ex duobus malis minimum eligendum;* but of these, one being a most certain destructive evil, and the other a certain good and advantage of the highest nature, it can admit of no deliberation which of them to embrace; and so much the rather, if we sadly consider our deplorable and almost desperate condition, both at home and abroad, pertinent to the point in hand.—We are all weary of a long and costly war, and yet God hath so infatuated many, that though in words they desire, yet in deeds they reject, all ways of Peace, and cast them out of their hands when put into them; as if they delighted to have our wars spun out, like Amaleck's, from generation to generation. We are unable any longer to maintain a war, and yet are unwilling to give it over. But I beseech you now seriously to consider into what great straits and difficulties you are already brought, and how the true state of your affairs stands in relation to your forces and friends, both at home and abroad.—There are many thousands of Reformadoes, that have formerly served you in your

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wars, who lie daily clamouring at your doors for Arrears, complaining they are ready to starve, and some of them to rot in prison; desiring but some inconsiderable sum to satisfy their present necessities, and you return them for Answer, That you are unable to raise it; and, after many debates upon their general Ordinance, you cannot, in divers months, pitch upon any probable means to secure their Arrears, amounting, as is conceived, to above 200,000*l.* The Arrears alledged to be due to the Army, who now take free Quarter, and eat up the countries where they lie, amount to above 300,000*l.* and how to raise money to discharge this Debt, or so much as to disband the supernumeraries, and reduce the Army into their winter quarters, hath put you to a stand for many weeks, and as yet you know not how to do it: so as free quarter must still continue to ruin us on the one hand, and your Debts and Arrears be daily multiplied to undo us on the other. Your Navy is now coming into harbour, and your mariners expect a present considerable sum, amounting to many thousands, to pay them off; and you have not yet one penny in your treasury to satisfy their Arrears, and can pitch upon no way to raise any present monies, but only by the Earl of Arundell's Composition, amounting in all but to 6000*l.* and the moiety of it not to be paid till 3 months end at least. What your other Debts of the Navy are, and how many thousand pounds you owe to mariners, masters, and tradesmen, the Committee of the Navy can best inform you. Your Debts to your artificers, waggoners, and such who have advanced monies upon the public faith, amount to 2 or 3 millions at least: besides, your debts to Plymouth and other garrisons are so great, that they are all ready to mutiny and disband for want of pay. Your Debts, to the soldiers and officers in Ireland are vast; and if speedy and large supplies of men, provisions, and money arrive not there within one month, col. Jones, and your other officers there, profess the whole kingdom will be utterly lost; and you, for ought I find, have no possible means to supply them with either.—If then your Debts are already so great to reformadoes, tradesmen, the army, navy, garrisons. and those who have lent you money, that you know not how to satisfy any one of them; if you have not money to pay your Army or Navy at the present, nor to maintain them for the future, why do you now refuse that Peace which is tendered you upon such great advantages; and chuse a war, which you know not how to maintain, and must needs break your and the kingdoms backs in a few months more? Your credit is quite lost and broken in all places, in city and country; you cannot now borrow so much as 10,000*l.* for ought I know, upon any sudden occasion, were it to save the kingdom: your breaches of faith and security heretofore, and clashes with the city, have made you almost bankrupts, if not altogether. Goldsmiths-Hall, the Excise, Camden-House, and the Custom-House, are already charged with more debts than are likely to be paid in many years; Compositions are almost at a stand or end; Sequestrations generally disposed of to each particular county, or other uses; Bishops Lands engaged for far more than they are really worth; you have nothing of your own or the publick's left to raise either present monies, or credit whereon to borrow them; besides, the city, country, and whole kingdom are now quite exhausted, and almost as poor as naked Job was; many counties of the kingdom are so impoverished and exhausted with the last wars, especially the four Northern shires next to Scotland, that, as their knights and burgesses assure you, they are so far unable to pay any taxes, that they already starve and perish in most places for want of food, and are petitioners to you for some reparation towards their great losses, and present support to keep them from starving; the rich associated counties have been so harrassed and undone by the last Summers war, that they are grown poor, unable to lend or contribute to you any more force or assistance; the excessive dearth of corn and provisions the last year; the great destruction of corn by unseasonable weather this present year, which makes that which is wholesome exceeding dear; the extraordinary rot among sheep, and murrain among cattle (which should raise monies) in all counties; the general scarcity and decay of trade by land, of merchandize by sea, and apparent probability of their decaying every day more and more, by reason of the revolted Ships and Irish men of war; the Sequestrations of the malignant, the plunderings and losses of the well-affected, nobility and gentry, have so impoverished all sorts of men (but the Soldiers and Army, and some few treasurers and officers) that they know not how to live or subsist almost, much less to lend or contribute to maintain such a numerous army by land and sea, and supply Ireland's pressing necessities. If you cannot tell how to pay your present Debts, what folly is it to augment them for the future? if you cannot pay your Army or Navy now, how will you be able to do it hereafter?—If then you will have no Peace with the king upon the Treaty, but break it off, and keep up a war and Army still without colour of reason, in this your impoverished and exhausted condition, then mark the consequence: your forces being not duly paid, will live upon free Quarter still, and that will undo the country and make them desperate, and when they have eaten out all the poor, then they will mutiny, and fall on all that are rich; put them to present fines and ransoms at their pleasure, eat them out of house and home, share their estates and offices, which many of them already profess to be theirs by conquest; and then the longest sword will be the only true judge and measure of all men's properties, and divider of their estates, as well in this as former ages; of which we already begin to feel some sad experiments. And as the soldier on the one hand, so the

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penurious poor people in every place, for want of work and employment, and bread to put into their mouths, encouraged by the soldiers uncontrouled insolence, will fall to plunder and level all rich men on the other side. And if the 'Army's Remonstrance' and the 'Agreement of the People,' now in hot pursuit, take place, ministers shall receive no tythes, landlords no rents, creditors no debts, and oppressed ruined persons no law nor justice; kings must go down; princes and peers quite down; parliaments down; judges, justices, magistrates, laws, tenures, inclosures, down; all rich and landed persons down; their very wealth and estates will be sufficient cause to make them Malignants to a starved peasantry and an all-conquering unpaid Army; and then what follows but immediate irrecoverable ruin? I beseech you, therefore, consider in what a desperate, hazardous condition we and the whole kingdom now stand at present; how near we and Ireland are to the very brink of ruin. If we will now put in to that safe and sure harbour of Peace which the present Treaty invites us into, without any further cost or fear of ship-wreck, we may yet, through God's blessing, be safe and happy: but if we now wilfully put forth to sea again, among so many rocks, shelves, and quick-sands which surround us on every side; and will yet chuse war instead of peace, when the golden and silver sinews that formerly maintained it are quite shrunk up, we can expect nought else but drowning, and a sudden ship-wreck of all our kingdoms, parliaments, liberties, estates, and of our church and religion too.—Yea, but, say some, though all this be truth, we must not displease the Army, who are our present strength and safety; for then we are lost indeed. I have answered this objection once before in one sense, in relation to the Treaty's satisfactoriness; I shall here answer it in another. I say then, 1. That we have a God to please, who will be displeased, if we please the Army in their unjust Demands; and better it is to please God than any Army whatsoever. 'If God be with 'us, who can be against us?' We need no Army's Protection, if the Lords of Hosts be our guardian. 2. We have a conscience to please, as well as an Army; and we must satisfy that, though the Army (who pretend so much for liberty of conscience, yet will allow us none, or very little) be never so unsatisfied with it. 3. We have a kingdom, nay three kingdoms, to please, and to save too; and must rather please and save them, by rejecting the Army's Proposals, which will inevitably ruin them, than please the Army, in being any way instrumental for their destruction, by embracing their destructive counsels: if our kingdoms be preserved, we may have another Army, though this be disbanded, dissolved, yea destroyed; but if these kingdoms perish by our pursuing their rash Proposals, we shall neither have this army, nor any other army who must certainly perish in and with the kingdom's ruin. 4. We have a Navy to please as well as an Army, and which is more considerable to us than an army. A new army may soon be raised, though the old be disbanded; but a Navy being once lost, ships will not grow again, nor another navy be built in many years. And will not the pleasing of the Army in this, displease and lose the Navy now, as it did the last summer, to your great loss and danger? and can this Army guard the kingdom against any foregn invasions if the Navy be lost? no, nor treble their number. Look then, if you please, to your navy as well as your army. 5. We have many hundred thousands of well-affected and cordial Christians and Covenanters to please, who have adventured their estates, lives, and limbs in the present cause, and many of them done as gallant services in the field, both this last summer and before, as any in this Army; and are more considerable for number, quality, estate, wisdom, parts, and real piety and love to the public interest, than the Army. All which, I am certain, we shall highly discontent and grieve, nay palpably over-reach and cheat to their very faces, if we should please the Army in their present Demands, to their great prejudice and scandal, and our religion's too. There was no man of public spirit that engaged with, contributed towards, or took up arms in, the parliament's service, or cause at first, but merely upon these five Grounds, expressed in all the houses Remonstrances, Declarations, Petitions, Protestations, and in the Solemn League and Covenant: 1. To defend and maintain the true Protestant Religion, against popery, error, and superstition. 2. To defend the king's Royal Person, dignity, and legal authority, against violence, treachery, and usurpation. 3. To maintain the privileges, rights, and freedom of parliaments, and the fundamental laws and government of the kingdom, against state innovations and tyranny. 4. To rescue the king's Person from evil counsellors, and bring such incendiaries and Delinquents to condign punishment. 5. To settle the kingdom in freedom, safety, and peace, against cruelty, dangers, and imminent wars and tumults.—Upon these Grounds, and for these ends only, did both houses, and all who adhered to them, or took up arms for them, by their commissions, engage, and so did this very Army. I appeal then to every man's conscience, Whether the houses, or any who engaged with them, did ever contribute any monies, plate, horse, arms, or march out as an officer or soldier under them in these wars, with any such intention as this, to depose and bring the king to Justice; disinherit the Prince and king's posterity; dissolve the present parliament, and pull up by the roots all future parliaments and their privileges; subvert the fundamental government of the realm, and set up a new representative to dash all these in pieces; and to destroy religion, magistracy, and ministry? Did they not all abhor and disclaim in public, all such thoughts and intentions as these? And, when objected by the king and his party out of jea-

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lousy and fear, did not the houses presently resent and remonstrate against it as the grossest scandal on them and their adherents? Or would ever a man have engaged with the houses, or the houses with them in this war, or inrolled his name even in this new modelled Army, had he been told at first, That he must fight to depose the king, and bring him to execution; to disinherit his posterity; to dissolve this parliament, and the very rights, privileges, and being of all future parliaments; to set up a new government and representative in our church and state; to alter and change all things at their fancies, and to break every clause and article of the Solemn League and Covenant: if not one of these was the true end of our wars and engagements against the king at first, and all along till now, but the clean contrary to them; then how can they now be propounded as the only fruits of our wars, and means or conditions of our Peace and Settlement? Will they not all say, if the houses or Army proceed in their Proposals for Peace and Settlement, mentioned in their last Remonstrance, that they engaged and took up arms to do quite contrary to what they now propose to the houses, and endeavour to inforce them to put it into punctual execution? And will they not now say, That they are, by their original Engagement and Covenant, obliged, with their lives and estates, to oppose and oppugn the Army in all these particulars; that having thus declared and resolved, they cannot pray for, but against, the Army's late successes herein; that they cannot henceforth contribute towards their future pay and support, in point of conscience or prudence, but must withdraw and with-hold their contributions, and resist them to their faces; declare their commissions null, and not look on, or take them as an Army, but as a tumultuous rout of persons, assembled without commission, to act over Jack Cade's treasons again; and quite pull down that frame of government and order which they have been building up and supporting these many years, with such vast expence of treasure and blood? Better then displease the Army, than that all these Covenanters and Engagers should suffer, to theirs and three kingdoms hazard, Ireland's certain loss, and this very Army's overthrow; which these Jesuitical designs will certainly destroy in a very short space, if they, Jehu like, drive on so furiously, in the prosecution and execution of them, as they have done of late.—Consider, I beseech you, of the desperateness and excessive unavoidable destructiveness of these monstrous ways to the speedy Peace and Settlement of our church and state, and of the safety and security of the things yourselves have pitched on for Peace and Settlement, in and by the Treaty; and the Lord guide our hearts and votes aright therein, that we chuse not death instead of life; the ways of misery and destruction instead of the way of peace; which armies seldom know, or prescribe to themselves or others.

"Mr. Speaker; Having thus demonstrated to you the unavoidable destructiveness and confusion of those councils and pretended ways of Settlement, which the Officers of the Army have propounded, and would imperiously and forcibly thrust you upon, to the king's, kingdom's, parliament's, religion's, their own, ours, and Ireland's certain and most speedy ruin; I must now crave leave, with much sadness of heart, to unbosom my very soul unto you, and discover you that secret which God hath so clearly manifested to my understanding, that I dare not, under the highest penalty, but acquaint you with: That the Jesuits and Roman Priests and Catholics are the original contrivers, and principal fomenters, of the late and present distempers, and undutiful mutinous proceedings and councils of the Officers and Army; and chief Contrivers of the new Babel, or model of confusion, which they have tendered to you in their late Remonstrance, as the only way to Peace and Settlement. And if I shall clearly demonstrate this unto the house, I hope every member present, and the whole Army and Kingdom, when they know it, will eternally abhor and renounce it, and never henceforth countenance or promote this Jesuitical and Romish design; which I am persuaded the General, and most of the officers and soldiers of the Army, in the simplicity of their hearts, with honest and public intentions of Justice and common freedom, have been ignorantly drawn into, by the over-reaching pates and Machiavellian policies of these cunning Jesuits, who can metamorphose themselves into any shape, and invisibly insinuate themselves into their councils and actings, to promote their own interest and our destruction.—To make out this Discovery so clearly evident that none can rationally deny, but be sufficiently convinced of its truth, I must remind you of these particulars, of undoubted truth and certainty, which both houses have jointly and severally published and remonstrated to the whole kingdom, king, and world, in several Declarations and Remonstrances, and other printed Papers. 1. That the Jesuits, and other engineers and factors for Rome, for the alteration of religion, the setting up of Popery and tyranny in this kingdom, and subversion of the fundamental laws and government of it, did, long before the beginning of this parliament, compose and set up a corrupt, malignant, ill-affected party, consisting of corrupt bishops and clergymen, some great officers and counsellors of state, and others of trust and nearness about the king, his children, and court, to carry on these their designs, who were acted by their subtil practices; and that, by this means, those Jesuits and Romish engineers had a very powerful operation upon his majesty's councils, and the most important affairs and proceedings of his government both in church and state. 2. That the most dangerous divisions, preparations, and armies to make a war between England and Scotland, were made and carried on by the practices and

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counsels of the Jesuits, Papists, and their confederates; many Scots Jesuits being sent from London into Scotland, to foment the divisions there; and a general convention of all the principal Roman Catholics in this kingdom, and of sundry priests and Jesuits, whereof Con the Pope's nuncio was president, being held in London; wherein great sums of money were granted towards the raising of the army against the Scots, and treasurers and collectors appointed by them in every county; and Popish commanders sent for over and employed in that service, as was apparently proved before a committee, and reported to this house soon after the beginning of this parliament, as your own Journals manifest. And it further appears by one who was privy to that Plot, sent from Rome as an assistant to Con, that the end of the Scots wars was to engage the king to cast himself wholly on the Papists and their party, (the Puritans and Protestant party being averse to this war, and inclining to the Scots) who would not engage to assist him, unless he would condition with them to grant an universal toleration of Popery, and free exercise of that religion to the Papists, if their party prevailed; to which if he should shew himself unwilling or averse, then they would presently dispatch him out of the way, and poison him with an Indian nut, which they had prepared, kept in Con's custody, as they had poisoned his father king James; and the Prince being next heir to the crown, educated near his mother, accustomed to the Popish party, and easy to be perverted in his religion, being but young and under age, they would get him into their power, educate him in their religion, and match him to a Papist; and so all their work accomplished, Popery set up, and the Protestants and their religion soon extirpated both in England, Scotland, and Ireland.—3. That the dissolving and breaking up of all the parliaments in this king's reign, in discontent, proceeded from the counsels and practices of the Jesuits and their Popish confederates; to disaffect the king against them, and prevent the calling of parliaments for the future; as being the principal obstacle to prevent and counter-work all their designs to promote Popery, and subvert our religion, laws, and government.—4. That the Jesuits, Popish priests, Papists, and their confederates, ever since this parliament, have, by policy and power, endeavoured to dissolve and put an end to this present parliament, as the only basis and support of our religion and liberty; the only bulwark between us and tyranny, popery and superstition, ready to over-run the three kingdoms; the dissolution whereof would not only deprive us and our posterities of the present, but of the hopes and capacity of any future parliaments; and that they have indefatigably used and left no means unattempted, to dissolve this parliament, the continuance and close whereof with the king, in a happy Peace and Settlement, would frustrate all their hopes and Popish designs, as both lords and commons have most fully declared in their Remonstrances of May 19 and 26, also in their Propositions in Feb. and their Declarations in March 1642, and often since: that to effect this they have 1. Slandered and traduced this parliament's proceedings both to the king and people, to render them odious to both; 2. Endeavoured to bring up the Northern Army to over-awe and force the houses to act according to their dictates and interests, or else for to dissolve and destroy them; 3. Persuaded the king to impeach the lord Kimbolton and the 5 members, and then to come personally with a strong armed guard to demand and seize upon their persons, which was first plotted in France; 4. Raised up a rebellion of all the Papists in Ireland, to destroy the protestants there, and dissolve the parliament here; against whom they have publickly declared, and sent over forces to the king to assist him in this war to suppress the parliament by force of arms; 5. Persuaded the king, and many lords and commons, to desert his houses of parliament, in order to dissolve and destroy the parliament, and then to raise war against them; in which the Jesuits and Papists, at home and abroad, have been most active, and deepest engaged both in purse and person; they being the principal contrivers, abettors, and fomenters of this war, to subvert our religion and liberties, and set up Popery and tyranny; 6. Plotted the seizing and apprehending of some eminent leading Members, by a confederacy and commission here in London, for which Tomkins and others were executed; as the lords and commons in their Declaration of Oct. 22, and their Humble Desires, Feb. 1, 1642, with other Declarations since, remonstrate; 7. That these Jesuits and their party have obstructed, diverted and prevented, the relief and supply of the Protestants in Ireland with men and money, to betray us into the power of the Irish rebels, and extirpate the Protestants and their religion there.—All these are remonstrated and declared to all the world by near 100 of our own Declarations, and every man's real experience: All which the Army, in their late proceedings, have pursued and exceeded.

"On the other side it is as evident, by your own Declarations, that this Army, and all your other forces, were purposely raised and engaged, both by commission, oath, covenant, and their own solemn Protestations and Remonstrances, to defend the king's person, in the maintenance of our religion, laws, and liberties; to maintain the antient government of this kingdom, by king, lords, and commons; the rights and privileges of members of parliament, against all force and violence to them, and the fundamental laws of the realm; and to extirpate, as much as in them lay, all popery, idolatry, error, superstition, schism, and whatever is contrary to sound doctrine.—This engagement they really performed in the field, till all the king's popish and prelatical party in arms were utterly routed and broken in pieces, and their garrisons reduced to the parliament;

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till which time the Priests, Jesuits, and Papists, joined all the force and power they could raise, with the king's forces, against the houses and this Army, to conquer and destroy them: But their hopes and designs being wholly frustrated by the king's total defeat, these Jesuits and their engineers, who transform themselves into all shapes, and leave no means unattempted to compass their ends, then faced about from the king's party; and secretly insinuated themselves into the parliament's Army, to mutiny and debauch them against the parliament, and engage them to put a speedy period and dissolution to it. To this end they attempted to hinder and dissuade them from disbanding and going over to relieve distressed Ireland according to the houses Votes; and to engage them against the houses in March, April, and May, 1647, till which time the Army had ever shewed themselves most dutiful and obedient to the houses commands: But then, to divert and hinder all relief of the Protestant party in Ireland, then brought low, and ready to be swallowed up, (when we had no need at all of above 7 or 8000 standing forces in England, where there was no visible enemy: and might have spared 10,000 men for Ireland, who would soon have quelled the Rebels and Papists, there) these Jesuits, and their popish instruments, at that very instant, which is observable, on purpose to preserve their party in Ireland, and destroy the Protestants there, not only dissuaded those of the Army who were engaged and drawn off for Ireland from going thither, but discouraged and inforced them to desert that service; yea hindered other forces from going over for their relief; persuading the Army, that this dividing of them was but a Plot of Mr. Hollis and other members to destroy them; and then, by fomenting this jealousy, and raising up a new order and council of Agitators in the Army, some whereof were verily suspected, if not known to be Jesuits, they caused the Army, at a general rendezvous, to enter into a solemn Engagement not to disband; but to march up to London, to force the houses to alter, annul, and repeal divers Votes and Ordinances they had passed; published divers scandalous Declarations and Papers against their proceedings, to disengage and draw off the city and country from their defence; impeached no less than 11 of their members at once, (when as the king impeached only 5) demanded their present suspension from the house before any legal charge or evidence, else they would march up to the houses doors, and pull them out by violence, as the king would have done: after which they fall to seclude and drive away more members by a new *ex officio* proceeding; inforcing them now at last to accuse themselves and draw up their own cases; and, in August 1647, drove away most of the house by their open force and high menaces.—Then they set up several Councils of State in the Army: and waving their Demands as soldiers, formerly insisted on, fell to new model the state, contrary to their former Engagements; to set up a new model of government; to put a speedy and limited time for the period of this parliament, and a new and more equal election of members and representatives, and beginning and ending of parliaments, for the future; receive Petitions; order all matters of Church and State without the parliament, who must only ratify and confirm their Votes; and fell to treat with, and tender Proposals of their own to the king, without the houses privity. Besides, to pick a quarrel with the city of London, who had first raised and were so cordial to the Army and Parliament, and make an irreconcilable breach between the city and houses, to destroy them both by degrees, they caused the houses on a sudden, upon a Letter from the General, in one afternoon, without hearing the city or giving them the least notice of it, to recall the new Ordinance for settling their Militia; wherewith they being justly offended, thereupon the lord mayor, aldermen, and common council presented a Petition to both houses, July 20, 1647, to resettle their Militia as before, being in a full and free house settled without any dissenting Votes, by all their consents, which was seconded by a Petition from the Apprentices; who, being over earnest, offered some unarmed violence to the houses, and got the Ordinance of Repeal nulled, and the Militia resettled as formerly: hereupon they persuaded the Army to march up speedily to London, (not only without, but against the houses Order not to quarter within 40 miles of the city) to protect the houses from any future violence; to bring the authors of this force to speedy and exemplary punishment, and restore the houses to a condition of honour, freedom, and safety; and that, by offering a greater force to the members who continued sitting in the absence of those who repaired to, and engaged with them, than that of the Apprentices; driving the 11 members, formerly impeached, out of the house and kingdom; expelling them and others out of the house; forcing away most of the commons; nulling all Votes, Orders and Ordinances, from July 26, to Aug. 6, 1647; and, after that, marched through London in triumph; broke down all their forts and works about the city; took the Tower out of their possession; divided the Militia of Westminster and Southwark from them; impeached and imprisoned sundry Aldermen and others, who appeared most active for the parliament from the beginning; impeached, suspended, and imprisoned 7 lords at once, for sundry months together; afterwards released them without any prosecution: and, by this means raised such a breach between the city and houses, set the members one against another, and put such a stand to their proceedings, by these disturbances in the parliament's Army, as they could never effect before by all their military power and forces.—Now, lay all these distempers and proceedings together, and compare them with the Army's late Remonstrance, Declarations, Menaces, and present march to London, to

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force and levy war, against the houses, and their members, in case they concur not with them in their Jesuitical Whimsies and designs; and we shall find them all so opposite and repugnant to the Army's former obedience, professions, and principles; so suitable to the Jesuits practices in every particular; all tending only to force and dissolve this present parliament, to annul and invalidate its proceedings, and weaken all its interest, both in the city and country; and then every rational man must needs acknowledge, they all originally sprung from Jesuitical suggestions and councils; and that Ignatius Loyola, then and now, rode in an open and triumphal chariot in the van of these, and all their late actions of this nature. —Add to this the monstrous Opinions broached publicly and privately, in the Army and their quarters, against the Divinity of the Scriptures; the Trinity; the Deity of our Saviour; that Antichrist is only within us; that conscience ought to be free, and all Religions tolerated; that every man is a minister, and may lawfully preach without Ordination;* that the civil magistrate hath no legislative nor coercive power in matters of religion; that Tythes are Antichristian, and the like; seconded with public affronts to our ministers, climbing up into their pulpits; interrupting them publicly in their sermons; and making our Churches common stables in some places, and receptacles of their excrements; their open revilings at the proceedings of parliament and their members; and all to render our religion and the professors of it odious to the people; to make them readier and better inclined unto Popery; disgrace and undo our ministers, and render them and their preaching ineffectual; subvert the power of our magistracy; make the houses odious to all; and put all things into a present confusion: I am confident all these were nothing else but the projects and practices of Jesuits and their agents, who crept into the Army to seduce and distemper them; being so diametrically contrary to the General's, officers, and soldiers former practices, principles, professions, and that piety they have professed.—But that which further demonstrates it is this, That after the General and Officers of the Army had confessed their error, in meddling with state affairs, and settling and reforming the commonwealth, in the General Council

* "Cromwell and his officers," says Lord Clarendon, "took upon them to preach and pray publicly to their troops; and the common soldiers, as well as the officers, did not only pray and preach among themselves, but went up into the pulpits in all churches, and preached to the people; who quickly became inspired with the same spirit; women as well as men taking upon them to preach and pray; which made as great a noise and confusion in all opinions concerning Religion, as there was in the Civil Government of the State; scarce any man being suffered to be called in question for delivering any opinion in Religion, by speaking or writing, how profane, heretical, or blasphemous soever it was; which, they said, was to restrain the Spirit!" History, vol. v. p. 42.

Mechanics of all sorts were then preachers, and some of them much followed and admired by the mob. "I am to tell thee, Christian reader," says Dr. Featley, Preface to his Dipper dipped, wrote 1645, and published 1647, p. 1, "this new year of new changes, never heard of in former ages; namely, of stables turned into temples (and I will beg leave to add, temples turned into stables, as was that of St. Paul's, and many more), stalls into quires, shopboards into communion tables, tubs into pulpits, aprons into linen ephods, and mechanics of the lowest rank into priests of the high places—I wonder that our door posts and walls sweat not upon which such notes as these have been lately affixed: *On such a day, such a brewer's clerk exerciseth, such a taylor expoundeth, such a waterman teacheth.*—If cooks, instead of mincing their meat, fall upon dividing of the word; if tailors leap up from the shopboard into the pulpit, and patch up sermons out of stolen shreds; if not only of the lowest of the people, as in Jeroboam's time, priests are consecrated to the Most High God: —do we marvel to see such confusion in the church as there is?" They are humorously girded, in a tract entitled, The Reformado precisely charactered, by a modern church-warden, p. 11. Pub. Libr. Camb. xix. 9, 7. "Here are felt-makers (says he) who can roundly deal with the blockheads and neutral dimicasters of the world; coblers who can give good rules for upright walking, and handle Scripture to a bristle; coachmen, who know how to lash the beastly enormities and curb the headstrong insolences of this brutish age, stoutly exhorting us to stand up for the truth, lest the wheel of destruction roundly over-run us. We have weavers that can sweetly inform us of the shuttle-swiftness of the times, and practically tread out the vicissitude of all sublunary things, till the web of our life be cut off; and here are mechanics of my profession, who can separate the pieces of salvation from those of damnation, measure out every man's portion, and cut it out by a thread, substantially pressing the points, till they have fashionably filled up their work with a well-bottomed conclusion." Mr. Tho. Hall, in proof of this scandalous practice, published a tract, entitled, The Pulpit guarded by Seventeen Arguments, 1651, occasioned by a dispute at Henley in Warwickshire, Aug. 20, 1650, against Laurence Williams, a nailer, public preacher; Tho. Palmer a baker, public preacher; Thomas Hind, a plough-wright, public preacher; Henry Oaks, a weaver, preacher; Hum. Rogers, late a baker's boy, public preacher.

"God keep the land from such translators,
From preaching coblers, pulpit praters,
Of order and allegiance haters."

Mercurius insanus insanissimus, No. 3.
See Grey's Hudibras, vol. i. p 193.

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at Putney, (where they voted and acted more like a parliament than a council of war) and promised to proceed no further in it, but acquiesce with the houses determinations, these Jesuits, by the help of their instruments, the Agitators, to carry on their design of putting a speedy period to the present and all future parliaments, drew up a Model of a new Representative, which they intitled, 'The Agreement of the People,' subscribed by divers regiments of the Army (9 of horse and 7 of foot), and then caused it to be presented to the house of commons in Nov. 1647. The matter, end, and time of it compared together, and the houses Votes upon it, are very considerable, and discover a Jesuit in the front and rear of it. We all know that the Jesuits and their popish confederates, ever since queen Elizabeth's reign, when so many strict laws were made against them, have had an aching tooth against parliaments. Their first and most desperate attempt was in the 3rd year of king James, to blow up the king and both houses of parliament with Gunpowder: the original Plotters of this horrid treason were the Pope and Jesuits, as is clear by Del Rio's Book, and other printed papers almost a year before; the chief actors in it were discontented gentlemen and soldiers, Catesby, Percy, Winter, Faux, and others, as our stories relate, fit instruments to blow up parliaments: the day when this was to be executed was the 5th of November; but this treason being, through God's great mercy, discovered on that day, the king and parliament adjudged those Jesuits and Popish traitors to be executed, and that day, by act of parliament, to be perpetually observed for a Thanksgiving for this happy deliverance from that treason. The Jesuits, who have broken off all former parliaments in this king's reign till this, and would eternally dissolve this and all succeeding parliaments, by way of revenge for their ill successes then, have, these two last years together, in this very month of November, conspired to blow up or pull down this and all other parliaments; so as the very circumstance of the month and time discovers, in my apprehension, the Jesuits to be chief actors in this tragedy. The first attempt of this kind was on the 5th Nov. 1647, the very day of the Powder Plot, but, by the houses occasions, put off till the 9th: then the 'Agreement of the People was ushered into the house of commons, with a Petition from the Agitators. When this 'Agreement of the People' and Petition was presented, Giffard, a Staffordshire gentleman, and a Jesuit, (a year before sent from beyond the seas, who at first feigned himself a convert to our religion) was present in the lobby with the Agitators, and promoted it all he could; expressing his approbation of it, being gotten into the General's own life guard, and the next man to him when he came to bring the Speaker into the house of commons, Aug. 6, 1647. He was afterwards very active to persuade the Staffordshire supernumerary forces not to disband or to go for Ireland, and prevailed so much with them, that there were several orders from the House and General before they would obey; therefore it is probable he and they persuaded the Army at first not to disband or to go for Ireland: after which he was taken this summer, at a meeting in Ram-alley, contriving the raising a new war; and being carried prisoner to the committee of safety, made an escape from thence, by bribing his keepers, as is conceived, having offered 50 pieces to a captain to suffer him to escape.—Now, compare this third Gun-powder Plot with the two former in Nov. last, to blow up king, prince, duke, lords, commons, this present and all future parliaments at one attempt; to destroy the king and parliament; disinherit his royal posterity; unpeer all the lords, and level them with the dust; to root up them and all parliaments, root and branch, at once, against all our Oaths, our Covenants, our Remonstrances, and our Declarations; our laws, our Protestant religion, all here devoted to ruin together; as the only safe and speedy way to settle peace and safety in church and state, (to omit the horrid equivocations, dispensations with oaths and covenants, and Jesuitical distinctions in that Remonstrance) they are such clear visible characters of a Jesuit's pencil, hand, and head in this Remonstrance (so abounding with their bloody disloyal tenets and practices of killing and deposing Christian kings who will not do homage to their Roman pontiff, and blowing up Protestant states, kingdoms, parliaments); so abhorrent to all Protestants principles, professions, practices; who never yet imbrued their hands in, nor stained their religion with, the blood of any king, or actual deposal of any Protestant or Popish prince who was their lawful king, or disinheriting of his lawful heirs, or pulling down a Protestant reforming parliament; that none but Jesuits and Jesuited papists could possibly invent, or spur on the General Officers, and Army so violently and madly to prosecute them, as they do by a subsequent high Declaration, discovering a very Jesuitical spirit in the penman: charging the members of the house dissenting from them, in these treasonable practices, with a treasonable breach of trust; and usurping to themselves a power to judge, censure, and exclude them; and make those members who shall confederate with them herein, though never so few, materially a parliament, though formally and essentially no parliament at all; and moving them to depart the house and join with them in these Jesuitical designs; which they have since aggravated and backed by their disobedient march to London and Westminster against our commands, by force and open violence to over-awe us: and, by our Votes in parliament, to put all their treasonable Romish demands in present execution; to justify these very treasonable doctrines and practices of theirs, which our parliaments have, in direct terms, in sundry acts condemned, and in the Oath of Allegiance, (which every one of us must take in-

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mediately before his sitting in the house, and without taking whereof he neither is nor can be enabled to sit as a member) solemnly abjured.

"I shall further offer this to your considerations, That as soon as ever this Agreement of the People was suppressed in Nov. 1647, and the king persuaded to reject the Propositions tendered to him by both houses, by some officers in the Army, on purpose to treat on their Proposals, the Agitators and Jesuits in the army opposing these Proposals, and threatening to offer some violence to the king's person, caused him secretly to withdraw himself from Hampton-Court into the Isle of Wight, where they shut him up close prisoner, without the houses privity; which done they caused their confederates, when most of the members were sent into the country to disband the supernumeraries, to pass a Vote in the Commons house, to make no more Addresses to the king; not to set him aside as they then professed to many dissenting members, but only to induce the king to seek first to them, without which protestation they had never carried that Vote; which being passed, and most of the members departing, three more Votes were set on foot, and passed at an unseasonable hour, and gotten by surprise.—The very next morning there came a Declaration from sir Tho. Fairfax, and the General Council of the Army, dated Jan. 9, 1647, signifying their Resolutions to adhere to the houses, 'for settling 'and securing the parliament and kingdom 'without the king and against him, or any 'others that shall hereafter partake with him.' But the lords sticking at these Votes, there was a regiment or two of foot sent to garrison Whitehall, and a regiment of horse from the Army billeted in the Mews, to fright and force the lords to a concurrence.—Some few days after, a Book written by Doleman, alias Parsons the Jesuit, against king James's title to the crown, and concerning the lawfulness of subjects and parliaments deposing and chastising of their kings for their misgovernment, and the good and prosperous success that God commonly hath given to the same, (reprinted verbatim from Doleman's own printed copy, except the word parliament added to it now and then) was published to the world, with this title, 'Several Speeches delivered at a 'Conference, concerning the power of parlia-'ments to proceed against their King for Mis-'government'; which false new title published at that season, intimated to the world that this discourse of a Jesuit, for which he was condemned of high treason, was nothing else but 'Speeches made by some Members of the 'Commons House, at a Conference with the 'Lords.' The highest dishonour and affront ever put upon a Protestant parliament, to have the book and doctrines of a Jesuit thus falsly fathered on them; of which, though I myself and others complained, there was nothing done to vindicate the houses from this gross imputation.—About the same time there was another Book, intitled, 'Royal Tyranny 'discovered, discovering the Tyranny of the 'Kings of England, from William the Invader, 'and Robber, and Tyrant, alias the Conque-'ror, to this present King Charles; who is 'plainly proved to be worse and more tyran-'nical than any of his predecessors, and de-'serves a more severe punishment from the 'hands of this present parliament than either 'of the dethroned Kings Edw. II. or Rd. II. 'had from former Parliaments; which they 'are bound by duty and oath, without equivo-'cation or collusion, to inflict upon him, he 'being the greatest delinquent in the three 'Kingdoms, and the head of the rest,' so the title. In the Table there are these Passages amongst others, 'Charles Stuart guilty of Treason; C. R. [Charles Rex] ought to be executed'; where the houses are not only pressed to depose and execute him, but his execution, in case of their neglect, foretold, and that in an exemplary manner, in despite of all his protectors and defenders.'—These Jesuitical Books and Counsels, published at that instant, discovered clearly to my apprehension, their Votes for laying the king aside, and deposing and executing of him, even then to have been intended; but only interrupted by the Scots invasion, and the last Summer's commotions, occasioned by those Votes of Non-addresses; and the forcing of them on, both then and now, by the Army, with the violence they use, to be no other but a very plot and project of the Jesuits, to ruin and destroy the king and us.—I shall only add to this what I manifested but now, that it was the Jesuits Plot, when they engaged and assisted the king in his war against the Scots, to dash the Protestants in both nations in pieces one against another; so to be masters of both kingdoms, and extirpate our religion in both; and that, if the king consented not to grant them a general free exercise of their religion throughout all his realms and dominions, or did but stick at it, that then they would presently poison and dispatch him; possess themselves of the Prince, the next heir to the crown; and then, by flattery, or menaces, draw him to their religion, and match him to a Papist; and then all the three kingdoms would soon turn Papist, and all Protestants be murdered, or burnt for Heretics.—Now these Papists and Jesuits understanding that the king, beyond and contrary to their expectation, hath granted all or most of our Propositions in the Isle of Wight, and fully condescended to several new Bills, for the Extirpation of Mass, Popery, and Popish Innovations out of his Dominions; the putting all laws in execution against them, and for speedier discovery and conviction of them than formerly; and that their good friends and confederates, our archbishops, bishops, deans and chapters, and other branches of the hierarchy, are to be wholly rooted out both in England and Ireland, (so as they are never likely to have any more footing in them again, after all their late wars, charges, hazards, plots,

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and designs, to set up their Catholic religion and party) are so enraged with the king, and so inexorably incensed against him both at home and abroad, as I am credibly informed, that now they are mad against him, and thirst for nothing but his blood; which they think they cannot advantageously and effectually accomplish, but by engaging the Army to dissolve the Treaty and force the parliament, in case they vote his Answers satisfactory; and then, by themselves or a confederate party in the house, to depose and cut off his head. The Prince being also now beyond seas in their power, destitute of his hopes of succession to this crown, banished and declared a traitor, and to die without mercy if he return hither, and to lose his head as well as his father, (upon such high affronts put upon his father and himself, and that by a Protestant Parliament and Army of Saints) will be so enraged against all professors of our religion, that he will probably profess himself a Roman Catholic, and his brother too, and match with a Catholic princess; and thus engage all the Papists in foreign parts, England, Scotland, and Ireland, to unite their forces, purses, and councils, by way of revenge, to cut all the Protestants throats in all the three kingdoms, who have adhered to the parliament, and hew the Army itself in pieces, when they have thus accomplished their designs; which will render them and the parliament execrable and infamous to all posterity: and then farewell all parliaments, and our Protestant religion for ever; not only here, but throughout all Christendom, where the Popish princes will presently massacre the Protestants, lest they should fall to the like perfidious practices. This I am most confident is their design, by what I have met with in their Papers, and in the Jesuit Contzen's politics and others, who have chalked out a way, by degrees insensibly to screw Popery into any Protestant church, by those very steps which our prelates followed, who were directed by them; and to alter and subvert any Protestant state and kingdom, by this new modelling of them into such a popular anarchy, as is now suggested and presented in the Army's Remonstrance. This I am assured will be the unavoidable, desperate, and deplorable fate, if we comply with them and the Army in it, unless God in his infinite mercy shall hold off their hands, and turn their hearts, from prosecuting their present designs.

"I shall only add one thing more, and so conclude, That many of the Agitators and Army's Papers, especially 'Putney Projects,' and some late Declarations, savour of a Jesuit's stile and spirit; that I have been credibly informed, that not only Gifford, a Jesuit, was one of the General's own life-guard, and a very active man in the Army; but one Thomas Budds, alias Peto, the last Popish priest condemned at Newgate, was a trooper in this Army; and, by influence of some great officers in it, obtained a reprieve instead of an execution; that the Papists beyond seas wish very well to the Army, in whom now is their chiefest hopes; that the Jesuits cells and colleges in foreign parts are of late very empty; that many Popish priests and Jesuits are now in England, not saying mass, crying up the Pope and popish tenets as heretofore; no, that were too gross, and they easily discovered; but using all manner of mechanick trades; preaching in private corners as Sectaries, Anabaptists, Seekers, Broachers of new Light, or as gifted Brethren; that many of them are turned troopers, Agitators, if not some of them officers, in the Army; or at leastwise have so insinuated themselves into the leading officers there, (who are much taken with their parts, their new designs and tenets to alter and unsettle states) that they have as powerful an influence now upon the Army's Councils and Officers, as formerly they had upon the king and his council; and have now thus deeply engaged them, beyond all expectation, to accomplish those Jesuitical designs of theirs, to depose and destroy the king; dissolve this parliament; subvert our magistracy, ministry, religion, laws, liberties, government; and establish their Utopian new model of confusion in lieu of parliaments and regal power; thereby to accomplish that now, which all their Popish conspiracies, armies, and confederates, from the beginning of queen Elizabeth's Reign, could never yet effect by all their treachery, policy, and power; and how far they have proceeded, and engaged the Army and Officers unwillingly in it, out of honest intentions, we all now sadly behold to our great amazement, even in this instant of time when Ireland is in such imminent danger of being utterly lost.

"I beseech you, Mr. Speaker, let us lay this speedily to our hearts, and go about to prevent it ere it be too late. If we vote the king's Answers now unsatisfactory, and so break off the Treaty with him, we have all our hopes, our only means of Peace and Settlement, and all these large Concessions which the king hath granted both for our present and future security; our monarchy, magistracy, ministry, parliaments, laws, liberties, kingdoms, and that which is dearest to us, our religion also, endangered, yea lost at once; and such a certain foundation laid to carry on all these Jesuitical Designs I have here discovered, and that by authority of this house, as will stain the honour of this most glorious and renowned parliament to all posterity, and put a dishonourable speedy period to this and all future parliaments for ever: but if we vote it so far satisfactory, as I have stated it, and, humbly conceive, proved it substantially to every rational man's understanding and conscience, as that we may lay present hold upon it; and proceed therein without delay, to turn all the king's Concessions into Bills, which I have, for the most part, already drawn; and get the king's royal assent unto them, I doubt not but, by God's blessing on our endeavours, we may, before this month be ended, settle such a firm and well-grounded Peace between the king

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and all his people and kingdom, upon such honourable, safe, and advantageous terms for the public interest, and such strong securities, as no state or kingdom ever yet enjoyed the like since the creation. And therefore, Mr. Speaker, upon this long and tedious debate, (for which I most humbly beg pardon of the house) being a business of such infinite concernment to our present weal or ruin, I must and do conclude, 'That the king's Answers to the Propositions of both houses are so far satisfactory at the least, as that this house may, upon safe and firm grounds and great advantages, forthwith accept of and immediately proceed upon them; to the speedy Settlement of the Peace of the kingdom; and are bound both in honour, prudence, justice, and conscience so to do, to preserve themselves, our three kingdoms, and the Army too, from perpetual bloody wars, and inevitable impendent desolation and confusion.'"

The Commons resolve, that the King's Answers are a Ground for settling the Peace of the Kingdom.] This Speech, as Mr. Prynne himself informs us, in an Appendix, being uttered with much pathetic seriousness, and heard with great attention, gave such general satisfaction to the house, that many members, formerly of a contrary opinion, professed they were both convinced and converted; others, who were dubious in the point of Satisfaction, that they were now fully confirmed; most of different opinion put to a stand; and the majority of the house declared, both by their chearful countenances and their words, (the Speaker going into the withdrawing-room to refresh himself, so soon as the foregoing Speech was ended) that they were abundantly satisfied by what had been thus spoken: after this the Speaker resuming the chair, Mr. Prynne's arguments were seconded by many able gentlemen. At length a motion being made, That the previous Question should be put, it was carried in the Affirmative, by 140 voices, against 104, with the four Tellers, notwithstanding the General's and whole Army's march to Westminster, and menaces against the members, in case they voted for the Treaty, and did not utterly reject it as unsatisfactory: And then, without any division of the house, it was resolved, 1. "That the Answers of the king to the Propositions of both houses, are a Ground for the house to proceed upon for the Settlement of the Peace of the kingdom. And, 2. That Mr. Pierpoint, sir John Evelyn of Wilts, Mr. Solicitor, col. Birch, Mr. Ashurst, sir Tho. Widdrington, and Mr. Maynard, be appointed to repair to the Head Quarters that afternoon, to confer with the Lord-General and his Officers, for keeping and preserving a good correspondence between the parliament and the Army." After which the Commons adjourned.—Mr. Prynne also remarks, "That though this last debate upon the king's Answer to the parliament's Propositions had continued from Monday morning, all the night through, and till 9 on Tuesday morning, Dec. 5, during which time the doors were never locked, yet that there were present in the house, when fullest, above 340 members; but that many of them, through age and infirmities, could not hold out all night, which was the reason of there being only 244 present when the previous Question was put."

Dec. 5. This day the lords passed the same Vote in favour of the Treaty as the commons had done, and then adjourned to the 12th.

The Army seize upon several Members of the House of Commons.] Dec. 6. "We find by the Journals, That the commons being informed that divers Members, coming to attend, were staid and carried to the Queen's Court, or Court of Wards, the Serjeant was commanded to go to them, and require them to come to the house; who being returned, said, "That the Members seemed willing to consent, but that an Officer would not suffer them to pass till he had received orders about them, which he had sent for."

A particular Narrative of that Transaction.] This Affair being the greatest attack ever yet made upon the liberties of an English parliament, we shall present the reader with an Extract from the Narratives thereof, as drawn up by the Imprisoned and Secluded Members themselves, published at the very time of action,* in vindication of their own conduct, and by way of appeal to the nation against this unparalleled violence of the Army.—Mr. Prynne writes thus:† "The General and Officers of the Army, highly displeased with the Vote, 'That the king's Answers to the Propositions were a Ground for them to proceed upon, for settling the Peace of the kingdom,' and with those members who assented to it, sent 2 or 3 whole regiments of horse and foot to Westminster; set a strong guard at the house's doors, in the lobby, stairs, and at every door leading towards them; admitting none but parliament men themselves to enter into Westminster-Hall, or the back stairs leading to the Court of Requests, and excluding their servants who attended them. Then col. Pride‡, col.

* A true and full Relation of the Officers and Army's forcible seizing of divers eminent Members of the Commons House, Dec. 6 and 7, 1648.—A Vindication of the Imprisoned and Secluded Members of the House of Commons, from the Aspersions cast upon them and the Majority of the House. Printed for Michael Spark, at the Blue Bible in Green Arbour.

† In the Appendix to his speech of December 5, containing some Occurrences since, published for the Kingdom's better Satisfaction.

‡ This invasion of the parliament commonly passed under the name of *Colonel Pride's Purge*; so much disposed was the nation to make merry with the dethroning of those members, who had violently arrogated the whole authority of government, and deprived the king of his legal prerogatives. Hume.

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Hewson, and sir Hardress Waller, seized upon divers members of the commons house; some at the doors, others in the lobby, and on the stairs near the house, without any warrant, or reason alledged, but their sword and power, as they were going to discharge their duties. Among others, col. Pride seized upon Mr. Prynne, going up the stairs next the house; and told him, 'Mr. Prynne, You must not go 'into the house, but must go along with me,' Mr. Prynne returned for answer, 'That he 'was a member of the house, and was going 'into it to discharge his duty, from which no 'man should or ought to hinder him; whither 'he would go, and he' (the colonel) 'should not 'keep him back;' and then thrust up a step or two more. Hereupon col. Pride thrusting him down before, sir Hardress Waller and others laying hands on, and pulling him down forcibly behind to the Court of Requests great door, Mr. Prynne thereupon demanded, 'By what authority and commission, and for what cause, they did thus violently seize on, and pull him down from the house?' To which Pride and Waller, shewing him their armed soldiers standing round about him with swords, musquets, and matches lighted, told him, 'That there was their commission.' To which Mr. Prynne answered, 'That they were no legal commission, nor cause for them to seize upon him, being a member; and openly protested, 'That it was an high breach of the privileges of parliament, and an affront to the house; desiring the standers-by to bear witness of this violence, and his protestation against it; and that they, being more and stronger than he, and all armed, and he unarmed, they might forcibly carry him whither they pleased; but stir he would not thence of his own accord:' hereupon they forcibly pushed him up into the Queen's Court, where some other members, a little before seized, were kept prisoners by them.—The house being informed of this violence upon him, and the high breach of privilege, in seizing him and other members, sent the serjeant at arms to demand them of the captain that guarded them, and to command their present attendance in the house; which message, though delivered by him, and the prisoners requiring his obedience, that they might accordingly attend the house, was yet slighted and disobeyed; whereupon the house ordered the serjeant a second time to go with his mace, and demand the members, and bring them into the house forthwith, as refusing to do any business till their members were restored; but Pride and his confederates staid the serjeant in the lobby, and would not suffer him to go to them; whereupon, returning into the house he acquainted them with the contempt, which was entered in the Journal: and the house concluded not to proceed till their members were restored; and sent a committee to the General to demand them.—Mr. Stephens and col. Birch, being in the house, were sent for to the door, by some of the officers, by false tickets, and pulled out by violence; col. Birch, putting his head within the door, and crying out to the Speaker, 'Whether they would suffer 'their members to be pulled out thus violently 'before their faces, and yet sit still?' notwithstanding which the officers still proceeded to seize more members as they came to, or went from, the house, carrying them all prisoners to the Court aforesaid.—About 3 in the afternoon Hugh Peters,* with his sword by his side, came rushing in to see the prisoners, and take a List of their Names, by order from the General, as he alledged; where some of them demanding of him, 'By what authority they were thus imprisoned and kept from their duty?' He answered, 'By the power of the sword;' and returning thither soon after, he released sir Benj. Rudyard and Mr. Fiennes (as he said) by the like power of the sword.—Night drawing on, the prisoners requested the captain who guarded them to desire col. Pride to speak with them; to the end they might know by what authority, and for what cause, they were thus detained by him, being members. The colonel returned this Answer, 'That he 'had other employment for the present, and 'could not wait upon them.' Soon after Hugh Peters, and some officers, acquainted them that they should all be removed to Wallingford-House, where they should have all fitting accommodations provided for them, and the lord-general Fairfax and lieut. gen. Cromwell, would come and speak with them, and that coaches would be provided to carry them thither; upon this assurance the prisoners went all from the Queen's Court, to take coach at the Lords Stairs; where, coaches attending them, instead of being carried to Wallingford-House, as was promised and expected, they were stayed at the back-gate of *Hell*, (a common victualling-house so called) and there thrust all into the common dining-room, and after that translated into two upper chambers.—When it grew late, sir Robert Pye and some six more were offered liberty to go to their lodgings, being near, upon their parole to appear before the General the next morning; but they, conceiving it inconsistent with the privilege of parliament, and a prejudice to their cause, refused to give any other parole than to appear in the house the next morning; which not being accepted, they were all inforced to remain in *Hell*, that night, most of them having no beds to rest their heads on (though antient and infirm, and gentlemen of honour) but the floor of the room, and benches and chairs: yet they patiently underwent this affront and duress in *Hell* itself, (a place culled out on purpose for the sake of its name, to put a more signal brand of contempt and infamy upon them and the parliament) reading and singing psalms to God, spending most of the night in discourses and walking, without taking one minute's rest or sleep. The provost-marshal, under whose custody

* The famous Independent Preacher, and at this time one of lord Fairfax's Chaplains.

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they were unworthily put as malefactors, was so ashamed of this dishonourable usage, that, after some conference concerning it, he repaired to the General at Whitehall, to acquaint him with it, and receive his further order.—The next morning the prisoners expecting the issue, he returned to them about 11, and acquainted them that it was the Lord-General's pleasure they should all forthwith wait upon him and his Council of War at Whitehall, where he desired to confer with them: hereupon they were presently put into coaches, and carried to Whitehall, like traitors or felons, with strong guards of horse and foot attending them, and there brought into the king's lodgings fasting, and tired out with watching the night before; where arriving about 12, they expected a present answer; but, their more than royal new Excellences took so much state upon them as to make them wait their leisure till it was night, before they vouchsafed to send them any answer; at which time, disdaining to call the imprisoned members in, or to honour them with their more than lordly presence, they sent out 3 officers to acquaint them with this dilatory Answer, 'That other intervenient affairs of great concernment were now in agitation before the General and his Council, so as they could not admit them to their presence that night, as was expected; and that the General and his Council, for their better accommodation, had given order that they should be lodged at two Inns in the Strand, viz. the Swan and the King's Head, for that night; where they should receive from them, the next morning, some Propositions to be considered of.' After which the provost-marshal carried them all prisoners to the said Inns, through the streets, in the dirt, on foot (except some 6 or 7 only, who, being lame and aged, got a coach) with a musketteer attending upon every one of them in particular, and a strong guard marching before, behind, and on one side of them, like so many traitors and capital malefactors. Several of the soldiery reviled the members with opprobrious speeches, as 'That they had cozened the kingdom of its treasure, and them of their arrears.' To which the others replied, 'That they should make it appear to the soldiers ere long, that their Arrears were in the pockets of their commanders and the rest of their own party.' Being brought at last to the two Inns before mentioned, they had strong guards set upon them, and a centinel at every chamber door all night.—This day also the Officers and Army surrounded the house in the same manner as on Wednesday. Some of their officers standing at the commons door with a List of parliament-men's names in their hands, demanded every member's name as he came to the door to enter the house; and those whose names were in their list, they forcibly excluded and turned down stairs, though they earnestly pressed for entrance; and some of them acquainting the Speaker, by letter, with this high affront and breach of privilege, could find no redress; the officers admitting only such who were not in their Lists. About 40 members were, this day, thus forcibly excluded, not imprisoned; but Mr. Gawen was seized upon by one of col. Hewson's officers, at the house; Mr. Vaughan was apprehended at his own lodgings; and these two were carried prisoners to the Queen's Court, and from thence to Whitehall to the rest of the imprisoned members, who were there attending upon the General and his Council. Sir W. Litton was likewise seized that day, and kept prisoner in Whitehall, but afterwards released by sir W. Constable's order. The rest continued prisoners several days at the two before-mentioned Inns, but were, by degrees, either discharged without any cause assigned for their commitment, or else removed to other places of confinement, where they remained many weeks*."

Proposals from the Army, accusing Denzil Hollis, and others, of Faction, and Personal Interest.] Whilst the house was debating on the seizure of their Members, and had appointed a Committee to go to the General and expostulate the matter with him, they were informed that there was a Message from his excellency at the door, sent by lieut. col. Axtel and some more officers. These messengers, being called in, acquainted the house, That they were commanded, by the Lord-General and the General Council of Officers, to let the house understand that they had something to deliver to them this morning, of very high concernment, which would be presently ready for their view. Soon after came col. Whaley to the house, and presented a Paper to them, which bore the following title:

To the Hon. the Commons of England in Parliament assembled, The Humble PROPOSALS and DESIRES of his Excellency the Lord FAIRFAX and the General Council of Officers, Dec. 6, 1648, in order to a speedy Prosecution of Justice, and the Settlement formerly propounded by them.

"Having with others, for a long while sadly beheld and tasted, in your proceedings, the miserable fruits of councils divided and corrupted by faction and personal interest, even to the neglecting, betraying, and casting away all public good; to the lengthening out of endless troubles, burdens, and damage; to the continuance and widening of that issue of blood, whereby these nations have been so long polluted and consumed; and to the perpetual hazard, bondage, and destruction of them at last: and seeing no other or better way, we propound and demand as followeth: 1. Whereas Denzil Hollis, esq. Lionel Copley, esq. major-gen. Massey, and others of your members whose names you well know, were, in 1647, impeached by us for Treason, or for high Crimes and Misdemeanors, in relation to the

* Mr. Prynne dates the Preface to his Speech, made Dec. 5, from the King's Head Tavern in the Strand, Jan. 26, 1648-9.

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treasonable Engagement in the city of London, the violence then done upon the parliament; the levying of a new war, and other evils in maintenance and prosecution thereof; and, upon clear proofs against them, were, by your censure, expelled the house, and disabled from further trust therein; and, upon new writs issued out, new members were chosen and returned in some of their places; and yet, by the prevalence of their faction, when in the last summer's wars, divers faithful members were engaged abroad upon necessary public service, and others, through malignant tumults and disturbances, could not safely attend the house, the same persons were afterwards re-admitted to sit in the house and vote as formerly, without any trial or satisfaction in the things whereof they were accused: we demand that all those members so impeached may be forthwith secured, and brought to justice; and such others as are of their faction may be secluded from the house. 2. Whereas, by the confederacy of major-gen. Brown, now sheriff of London, with the said impeached members and others, the Scots were invited and drawn in to invade this kingdom the last summer; insomuch as when, upon their actual invasion, the house proceeded to declare them enemies, and those that adhered to them traitors; yet the said confederates, and other treacherous members, to the number of 90 and odd, as upon the division of the house appeared, did, by their counsels and votes, endeavour to hinder the house from declaring against their confederate invaders: we desire that the said major-gen. Brown may be also secured and brought to judgment; and that the rest of the 90 and odd persons, dissenting against the said Vote, may be excluded the house.—3. Whereas, in a continued series of your proceedings for many months together, we have seen the prevalence of the same treacherous, corrupt, and divided counsels, through factions and private interests, opposing or obstructing justice in all kinds, diverting your counsels from any thing of public good, hindering any proceedings to any such Settlement as would consist with security to the public interest, or put a real end to the troubles, burdens, or hazards of the kingdom; and precipitating into treacherous and destructive compliances and conjunctions with the acknowledged enemies thereof, as in the Votes of 'No more addresses 'to the King, &c.' the justness and necessity whereof you had once so cleared to the world; also in the Votes for entertaining or seeking after all that Personal Treaty with the king; and, lastly, in the Votes declaring his past concessions to be a ground for the house to proceed upon for the Settlement of the Peace of the kingdom, notwithstanding the visible insufficiency and defects of them in things essentially necessary concerning the public interest and liberties of the kingdom, as those propounded in our late Remonstrance are, and in other matters both religious and civil: we therefore most earnestly desire, that all such faithful members who are innocent in these things, would immediately, by Protestation and public Declaration, acquit themselves from the guilt of any concurrence in the several votes or counsels here before particularly mentioned as corrupt or destructive, that the kingdom may know who they are that have kept their trust; and so distinguish themselves from the rest that have thus falsified the same; and that all such as cannot, or shall not, so acquit themselves particularly, may be immediately excluded or suspended the house; and not re-admitted until they have given clear satisfaction therein to the judgment of those who now so acquit themselves, and the grounds of such satisfaction be published to the kingdom. 4. Thus such, as by faithfulness have retained their trust being set in a condition to pursue and perform the same, without such interruptions, diversions, and depravity of counsels, as formerly, we shall desire and hope you will speedily and vigorously proceed to take order for the execution of justice; to set a short period to your own power; and to provide for a speedy succession of equal representatives, according to our late Remonstrance; whereby the differences in the kingdom may be ended, and we and others may comfortably acquiesce, as for our parts we hereby engage and assure you we shall. By the Appointment of his Excellency the Lord Fairfax, Lord-General, and his General Council of Officers. Jo. Rushworth."

Dec. 7. The commons ordered the Speaker to return their hearty Thanks to lieut. general Cromwell, then present, for the very great and eminently faithful services both here and in Scotland; which the Speaker did accordingly. Mr. Ludlow remarks, "That Cromwell did not come to London till the night after the first interruption of the house by the Army; and that he publicly declared he had not been acquainted with that design; yet, since it was done, he was glad of it, and would endeavour to maintain it."

Conference concerning the Imprisoned Members.] After this compliment paid to Cromwell, Mr. Pierpoint, one of the Committee appointed to go to the lord-general Fairfax, delivered 4 Papers, as the substance of the Conference with him the day before, for the Discharge of the members, which were read. And first The Paper from the Committee to the General:

"We having command, from the house of commons, to let your excellency know that divers of their Members are this day taken and detained by some officers and soldiers of your excellency's Army, it is the pleasure of the house they be discharged; for which we desire your excellency's present Order that it may be done accordingly. Dec. 6."

This produced the following Answer, signed by Mr. Rushworth, in the name of the Lord-General and his Council of Officers; "Having seen the Order upon which your last Paper is given in, we do not conceive it to be the positive pleasure of the house of commons that

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their Members be discharged: but concerning their discharge, for which you are appointed to confer, so soon as we shall receive the Resolutions of the house upon that Paper, this day sent in by us to them, which concerns those persons detained, we shall then be prepared to give you answerable satisfaction in relation to that particular."

To this the Committee made the following Reply: "In Answer to your Paper now delivered, wherein you do refer to one sent by you to the commons; we affirm that, since the reading of that Paper by the house, it was expressed by them to be their positive pleasure, that the members this day taken and detained by some of the officers and soldiers of the Army under your excellency's command, be forthwith discharged: and therefore we do insist that, according to our former Paper, the said members be forthwith discharged accordingly."

To this positive Demand of the Committee for the release of their Members, the General sent the following peremptory Refusal, signed as before: "In return to your last Paper concerning your insisting on the Discharge of the Members, we refer to our former Answer; and have no more to say to that particular, till we receive the Resolutions of the house upon our Paper, this day sent to them."

The same day the commons received Letters, dated Westminster, Dec. 7, from several members, signifying their being prevented from attending their duty in the house by the soldiery. After reading these Letters, a motion being made for proceeding upon the Proposals from the Army, it was carried in the affirmative by 50 against 28. Hereupon, those Members who were of the minority, we are told*, left the house, resolving to come no more till Justice was done to their absent brethren: an assertion in some measure confirmed by the Journals; since, though we meet with many divisions between this time and the Beheading of the King, yet there is not one instance, during that period, in which the number of members present exceeded 53.

The Commons revoke their former Resolutions for restoring the impeached Members.] Dec. 12. The commons being met, pursuant to adjournment, they proceeded upon the Proposals and Desires of the Army, which were read a second time; but the result, contained in several clauses, we are told by the editor of the printed Journals, was obliterated by an Order of March the second, 1659: however, these Votes we are enabled to supply, the house having ordered them to be printed and published about a month after the passing of them: Resolved, 1. "That the Votes of the 7th and 8th of June last, 'For revoking the Orders of the 7th and 9th Sept. and the 27th Jan. 1647, disabling commissary Lionel Copley, and also Denzil Hollis, esq. sir Philip Stapylton, &c. from being members of this house,' was of a dangerous consequence, tending to the destruction of the justice and peace of this kingdom; and is hereby repealed. 2. That the Vote of the 30th of June last, whereby this house did concur with the lords, 'That for opening a way towards a Treaty with his majesty for a safe Peace, the Votes of the 3d Jan. 1647, forbidding all Addresses to be made to or from the king, be taken off,' was highly dishonourable to the proceedings of parliament, and apparently destructive to the good of the kingdom."

List of the Members imprisoned and secluded by the Army.] The following is a List of the Members of the House of Commons imprisoned or secluded by the Army,* at different times, since the Vote of the 5th of December, declaring the King's Concessions to be a Ground for settling the Peace of the Kingdom.

MEMBERS IMPRISONED.

Birch, col. John	Leigh, col. Edw.
Boughton, Tho.	Lewis, sir Wm.
Browne, maj. gen. R.	Lyster, sir Martyn
Bulkley, John	Litten, sir Wm.
Buller, Francis	Luke, sir Samuel
Cholmley, sir Henry	Massey, major gen. Edward
Clotworthy, sir John	Merrick, sir John
Copley, Lionel	Onslow, sir Rd.
Crew, John	Pelham, Henry
D'Ewes, sir S.	Priestley, Wm.
Drake, Francis	Prynne, Wm.
Erle, sir Walter	Pye, sir Robert
Fiennes, Nath.	Rudyard, sir Benj.
Gerrard, sir Gilbert	Soame, sir Tho.
Gerrard, Francis	Stephens, Edward
Gawen, Thomas	Strode, Wm.
Green, Giles	Swinfen, John
Grimston, H.	Vaughan, Charles
Harley, sir Rob.	Vaughan, Edward
Harley, col. Edw.	Waller, sir William
Harley, major Rob.	Walker, Clement
Irby, sir Anth.	Wenman, lord Tho.
Knightley, Richard	Wheeler, William
Lane, Thomas	

MEMBERS SECLUDED.

Ascough, sir Edw.	Erle, Thomas
Aston, Ralph	Edwards, Wm.
Allen, Matthew	Fitz-Williams, ld. W.
Alford, John	Foxwist, Wm.
Ashe, John	Grove, Thomas
Burgoygne, sir John	Gell, Thomas
Barker, col. John	Gawdy, F.
Biddulph, Michael	Gardiner, Sam.
Brooke, Peter	Harris, John
Booth, George	Haye, Herbert
Barrow, Morris	Hobby, Peregrine
Browne, sir Ambrose	Holcrofte, John
Campbell, James	Horner, George
Corbet, sir John	Hodges, Thomas
Clinton, lord Edw.	Hungerford, Henry
Curzon, sir John	Hollis, Denzil
Dacres, sir Thomas	Hollis, Francis
Davies, col. Wm.	Jones, Wm.
Dodderidge, John	Jephson, col. Wm.
Ellis, William	Jenner, Robert

* In the Relation before quoted, at p. 1210.

* Extracted from the several pamphlets published by themselves in their own vindication.

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Jennings, Richard	Poole, sir Nevil
Knatchbull, sir Norton	Poole, Edward
Lloyd, col. John	Parteriche, sir Edw.
Luke, sir Oliver	Parker, sir Tho.
Lucas, Henry	Povey, Thomas
Lister, sir Wm.	Packer, Robert
Luckyn, Capell	Rich, Charles
Lumley, sir M.	Spelman, John
Martin, sir Nich.	Seymour, sir John
Middleton, sir Tho.	Spring, sir Wm.
Middleton, Thomas	Snow, Simon
Nelthorp, John	Sandys, Thomas
North, sir Dudley	Skutt, George
Needham, sir Rob.	Trevor, sir Thomas
Nash, John	Theloall, Simon
Napier, sir Robert	Thynne, Thomas
North, sir Roger	Temple, sir John
Oxenden, Henry	Temple, Thomas
Onslow, Arthur	Thomas, John
Owen, Arthur	Terrick, Samuel
Owfield, William	Tufton, sir Humphrey
Pymme, Charles	Thomas, Esay
Peck, Henry	Vassal, Samuel
Palgrave, sir John	Wingate, Edward
Parker, sir Philip	Whaddon, John
Playters, sir Wm.	Waller, Thomas
Pelham, John	Wynne, sir Richard
Pelham, sir Thomas	Winwood, Richard

Members Imprisoned - - - - 47
Secluded - - - - - 96
Total - - - —143

Besides many more said to have absented themselves for fear of the Army.

The Commons annul all former Votes for a Personal Treaty with the King.] Dec. 13. We have already taken notice of two extraordinary Votes of Revocation, passed by the commons on the 12th; and they now proceeded to annul all such other Resolutions as had the least tendency towards a reconciliation with the king and his adherents. Nor does it appear, that they so much as asked the concurrence of the lords therein.

Dec. 14. Most of the secluded Members being still denied entrance into the house of commons by the soldiery, or kept prisoners at the King's Head and the Swan in the Straud, a motion was made, "That a committee should be appointed to go to the General, and know of him upon what Grounds their Members were restrained from coming to the house by the officers and soldiers of the Army?" which, being put to to the vote, was carried affirmatively, by 35 against 18, and a committee was appointed accordingly.

Protestation of the Imprisoned and Secluded Members against the Violence committed on them by the Army.] Dec. 15. A printed Paper was presented to the house of commons, intitled,

A Solemn PROTESTATION of the Imprisoned and Secluded Members of the House of Commons, against the horrid Force and Violence of the Officers and Soldiers of the Army, on the 6th and 7th of Dec. 1648.

"We the knights, citizens, and burgesses of the commons house of parliament, (above 100 in number) forcibly seized upon, violently kept out of, and driven from, the house, by the officers and soldiers of the Army under Thomas lord Fairfax, coming thither to discharge our duties, on the 6th and 7th of this instant Dec. do hereby, in our own names, and in the names of the respective counties, cities, and boroughs for which we serve, and of all the commons of England, solemnly protest and declare to the whole kingdom, 'That this execrable force and open violence upon our persons and the whole house of commons, by the Officers and Army under their command, marching up against their command, and placing strong armed guards of horse and foot upon them, without and against their Order, is the highest and most detestable force and breach of privilege and freedom ever offered to any parliament of England; and that all Acts, Ordinances, Votes, and Proceedings of the said house, made since the 6th of Dec. aforesaid, or hereafter to be made, during our restraint and forcible seclusion from the house, and the continuance of the Army's force upon it, are no way obligatory, but void and null to all intents and purposes: and that all contrivers of, actors in, and assistants to, this unparalleled force and reasonable armed violence, are open enemies to and professed subverters of, the privileges, rights, and freedom of parliament, and disturbers of the Peace and Settlement of the kingdom, and ought to be proceeded against as such: and that all members of parliament and commoners of England, by their Solemn Covenant and duty, under pain of deepest perjury and eternal infamy, are obliged unanimously to oppose and endeavour, to their utmost power, to bring them to exemplary and condign punishment for this transcendent offence, tending to the dissolution of the present, and subversion of all future parliaments, and of the fundamental government and laws of this realm. All which we hold it our duties to declare and publish to the world, for fear our stupid silence should give any tacit consent or approbation to this most detestable crime, and make us guilty of betraying the privileges, freedom, and honour of this parliament, to our perpetual Reproach, and the prejudice of all succeeding parliaments. Dated at Westminster, Dec. 11, 1648.'

Both Houses declare the foregoing Protestation false, scandalous, and seditious.] Hereupon, a Committee was appointed to meet that afternoon, and enquire who printed, contrived, or published that scandalous Paper. Whether any discovery was made hereby does not appear: but the commons, having the same day, read and passed a Declaration against the aforesaid Protestation, and sent it up to the lords, the latter immediately gave it their concurrence, nem. con. whereby they avowed all the violence and outrage the Army had committed against the freedom and liberties of parliament, and hastened their own dissolution; but their lordships unanimity is

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accounted for by some of the Journalists, who inform us, That there were only 4 peers then present. This extraordinary Declaration runs thus:

"The lords and commons assembled in parliament, taking into consideration a printed Paper, intitled, 'A Solemn Protestation of the Imprisoned and Secluded Members;' The said lords and commons do hereby judge and declare the said printed Paper to be false, scandalous, and seditious; tending to destroy the visible and fundamental government of this kingdom; and do therefore order and ordain the said printed Paper to be suppressed; and that all persons whatsoever that have had any hand in, or giving consent unto, the contriving, framing, printing, or publishing thereof, shall be adjudged, and hereby are adjudged, incapable to bear any office, or have any place of trust or authority in this kingdom, or to sit as members of either house of parliament: and do further order and ordain, That every member of either house respectively now absent, upon his first coming to sit in that house whereof he is a member, shall, for the manifestation of his innocency, disavow and disclaim his having had any hand in, or giving consent unto, the contriving, framing, printing, or publishing of the said Paper, or the matter therein contained."

Further Proceedings relating to the Imprisoned and Secluded Members.] Dec. 20. The committee appointed to go to the General reported, That they had acquainted him with the Order and Votes of the house about their imprisoned Members; to which he answered; "That they were matters of great consequence, and that he believed the house did not expect a present Answer thereto, but that he would prepare one and send it forthwith; and, in the mean time, he desired the house would not trouble themselves to send any more to him about it." On this Answer a debate arose, and it being put to the question, Whether the former Message should be renewed by the same committee to the General concerning their absent members? it passed in the affirmative, 32 against 19.—Notwithstanding this ungracious Answer from the Lord-General to the committee, his excellency, this day, thought proper to send for 16 of the Imprisoned Members to Whitehall. When they arrived there, Ireton came to them in an outer room, and finding Mr. Prynne amongst them, chid the marshal for bringing him without order, and commanded him to be taken away: but upon his refusing to go, Ireton said, 'He should be 'thrust out by the head and shoulders:' hereupon Mr. Prynne openly protesting, 'That 'the Army endeavoured utterly to subvert the 'fundamental laws of the land, and privileges 'of parliament; that they had no power 'over him nor any member of parliament; 'that their late force acted upon them and 'their proceedings, was illegal and traiterous; 'that all men were bound to bring them to 'condign punishment, as rebels and traitors to 'their God, their king, country, and parliament;' the marshal was ordered to carry him back to his former confinement; and Ireton went in again to advise with the General and the rest of the officers. After a while he returned to the Members, and told them, 'It was the 'General's pleasure they should all be released, provided they attempted nothing against 'the present proceedings of the parliament 'and the Army;' adding, 'This at your peril.' However, the gentlemen declaring they would give no Engagement, were dismissed without any; and left at liberty to sit in the house again, if they thought proper. The Names of the Members discharged this day, were lord Wenman, sir G. Gerrard, Mr. F. Gerrard, sir A. Irby, sir T. Soame, sir J. Merrick, sir S. Luke, sir M. Lyster, Mr. Boughton, Mr. Buller, Mr. Vaughan, sir W. Erle, Mr. Bulkley, Mr. Crew, sir R. Pye, and Mr. Knightley.

A Fast-Sermon preached before both Houses by Hugh Peters.] Dec. 22. A Day of Humiliation having been ordered by both houses, for removing the heavy Judgments of God now upon this kingdom, and for his direction and blessing upon the counsels of parliament, the famous Hugh Peters preached, on that occasion, at St. Margaret's, Westminster. There were present only 4 lords, viz. the earls of Pembroke, Nottingham, Denbigh, and Mulgrave, with the Prince Elector, and about 20 commoners. *

The Commons resolve to proceed Capitally against the King.] Dec. 23. There was a de-

* That they might effect their business with the greater formality, they held a Solemn Fast in St. Margaret's Church at Westminster; where that Pulpit Buffoon, Hugh Peters, acted a Sermon before them, taking his text out of the Psalms 'To bind their Kings in Chains &c. 'such honour have all his Saints.' He paralleled the state of the kingdom with the bringing the Children of Israel out of Egyptian Bondage. And the better to shew how they should be brought out of this bondage; having put his hands before his eyes, and laid his head on the cushion; from whence, after a while, raising it suddenly up, he told them, 'That he had a revelation how to do it,' which was 'by extirpating of Monarchy both here, and in all other places.' He compared the King to Barabbas, whom the foolish citizens would have to be released, and the Red-Coats he called 'Our Saviours,' whom they would have to be crucified. As to the 'Saints' in his text, he often called them 'Saint Judges:' and professed 'he had found upon a strict scrutiny, that there were in the Army 5000 Saints no less holy than those that now conversed in Heaven with God Almighty.' Then kneeling, weeping, and lifting up his hands, he begged them 'in the 'name of the people of England, to execute 'justice upon that great Barabbas at Wind-'sor, and not let Benhadad escape in safety, '&c.' Echard History of England, p. 652.

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bate in the commons on that part of the Army's Proposals for bringing Delinquents to Justice; in which the design of taking off the King, that had been so long secretly in agitation, was now openly avowed. Mr. Whitlocke, writes;* "That several members made no scruple to mention his majesty, by name, as the greatest Delinquent, and as such to be brought to Justice. Others insisted, That he was not capable of being brought to justice by his subjects, but by God alone; and that the parliament having subdued him and his party, there was no need of any thing further but to secure themselves from their enemies rising against them any more; and this might be done without bringing the king to any judicial trial: a thing not read of in any history. But the fiercer party prosecuted their design with all eagerness; and those of a contrary opinion either durst not oppose, knowing they should be presently secluded the house, if they did, or seeing that no opposition would be to any effect or purpose." He adds, "That several members endeavoured to throw this business wholly upon the Army; that if they would have the thing done, they should do it themselves, as most proper for such an irregular and unheard-of business to be done in an irregular way, and by such irregular men: but these were subtle enough to see and avoid that, and to make those whom they left sitting in parliament, to be their stales, and to do their most dirty work for them; many of whom they found, and persuaded to be, strangely forward to engage in it; insomuch that it was carried by Vote in the house of commons, to name a Committee of 38 persons to consider of drawing up a Charge; and, for that purpose, to receive all Informations, and Examinations of all witnesses, for the matters of fact against the King and all other Delinquents that might be thought fit to be brought to condign punishment."—Another Contemporary informs us, † 'That when it was first moved in the house of commons to proceed capitally against the king, Cromwell stood up and said, "That if any man moved this upon design, he should think him the greatest Traitor in the world; but since providence and necessity had cast them upon it, he should pray God to bless their counsels though he was not provided on the sudden to give them advice."

The King brought to Windsor.] This day the King was brought to Windsor-Castle, escorted by a party of horse under the command of major-gen. Harrison, who was sent some days before to fetch him from Hurst-Castle.

The Commons declare it to be Treason in the King, to levy War against the Parliament.] January 2. The commons had been several days employed in fixing upon the manner of proceeding against the King; and this day, they sent up a Message to the lords with a Vote which had passed their house without division, declaring, "That by the fundamental laws of this kingdom, it is Treason in the king of England, for the time being, to levy war against the parliament and kingdom of England;" and also an Ordinance for erecting a High Court of Justice for the Trying and Judging Charles Stuart, king of England; to both which they desired their Lordships concurrence. To this extraordinary Message the lords made the usual return, That they would send an Answer by messengers of their own. —The commons being withdrawn, their lordships read the declaratory Vote twice; and, on the third reading, the question being put, Whether to defer the consideration of it to another time? it passed in the negative. Then the question being put, Whether to agree to this Vote? it was also resolved in the negative, nem. con.

Ordinance for the Trial of the King.] Next, the Ordinance for erecting a High Court of Justice for the Trial of the King was read:

"Whereas it is notorious that Charles Stuart, the now king of England, not content with the many encroachments which his predecessors had made upon the people in their rights and freedom, hath had a wicked design totally to subvert the antient and fundamental laws and liberties of this nation, and in their place to introduce an arbitrary and tyrannical government; and that, besides all other evil ways and means to bring his design to pass, he hath prosecuted it with fire and sword, levied and maintained a civil war in the land, against the parliament and kingdom; whereby this country hath been miserably wasted, the public treasure exhausted, trade decayed, thousands of people murdered, and infinite other mischiefs committed; for all which high and treasonable offences the said Charles Stuart might long since have justly been brought to exemplary and condign punishment: whereas also the parliament, well hoping that the restraint and imprisonment of his person, after it had pleased God to deliver him into their hands, would have quieted the distempers of the kingdom, did forbear to proceed judicially against him; but found, by sad experience, that such their remissness served only to encourage him and his accomplices in the continuance of their evil practices and in raising new commotions, rebellions, and invasions: for prevention therefore of the like or greater inconveniences, and to the end no other chief officer or magistrate whatsoever may hereafter presume, traiterously and maliciously, to imagine or contrive the enslaving or destroying of the English nation, and to expect impunity for so doing; be it enacted and ordained by the [Lords] and commons in Parliament assembled, and it is hereby enacted and ordained by the authority thereof, That the earls of Kent, Nottingham, Pembroke, Denbigh, and Mulgrave; the lord Grey of Warke; lord chief justice Rolle of the king's bench, lord chief justice St. John of the common Pleas, and lord chief baron Wylde; the lord Fairfax, lieut. general Cromwell, &c." (in

* Memorials, p. 353.

† Walker's History of Independency. p. 45.

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all about 150,*) shall be, and are hereby appointed and required to be, Commissioners and Judges, for the Hearing, Trying, and Judging of the said Charles Stuart; and the said Commissioners, or any 20 or more of them, shall be, and are hereby authorized and constituted an High Court of Justice, to meet and sit at such convenient times and place as by the said commissioners, or the major part, or 20 or more of them, under their hands and seals, shall be appointed and notified by public Proclamation in the Great Hall, or Palace Yard of Westminster; and to adjourn from time to time, and from place to place, as the said High Court, or the major part thereof, at meeting, shall hold fit; and to take order for the charging of him, the said Charles Stuart, with the Crimes and Treasons above-mentioned, and for receiving his personal Answer thereunto, and for examination of witnesses upon oath, (which the court hath hereby authority to administer) or otherwise, and taking any other Evidence concerning the same; and thereupon, or in default of such Answer, to proceed to final Sentence according to justice and the merit of the cause; and such final Sentence to execute, or cause to be executed, speedily and impartially. —And the said court is hereby authorized and required to chuse and appoint all such officers, attendants, and other circumstances as they, or the major part of them, shall in any sort judge necessary or useful for the orderly and good managing of the premises; and Thomas lord Fairfax the General, and all officers and soldiers, under his command, and all officers of justice, and other well-affected persons, are hereby authorized and required to be aiding and assisting unto the said court in the due execution of the trust hereby committed unto them; provided that this act, and the authority hereby granted, do continue in force for the space of one month from the date of the making hereof, and no longer."

Debate thereupon in the House of Lords.] Upon this occasion a great debate ensued upon the question, "Whether it be Treason, by the fundamental laws, for the king of England to levy war against the parliament of England?" The earl of Manchester shewed, 'That, by the fundamental laws of England, the parliament consists of 3 estates, of which the king is the first: That he, only, hath power to call and dissolve them, and to confirm all their acts, and that without him there can be no parliament; and therefore it was absurd to say, 'The King can be a Traitor against the parliament.' His lordship was seconded by the earl of Northumberland, who said, 'That the greatest part, even 20 to 1, of the people of England, were not yet satisfied whether the king did levy war against the houses first, or the houses first against him. And besides, if the king did levy war first, they had no law extant, or that could be produced, to make it Treason in him so to do; and for us, said he, my lords, to declare it Treason by an Ordinance, when the matter of fact is not yet proved, nor any law in being to judge it by, seems to me very unreasonable.' The earl of Pembroke swore 'He loved not to meddle with businesses of life and death; and, for his part, he would neither speak against the Ordinance, nor consent to it.' And the earl of Denbigh declared, 'That whereas the commons were pleased to put his name into the Ordinance, as one of the commissioners for trying his majesty, he would chuse to be torn in pieces, rather than have any share in so infamous a business.' At length the Question being put, Whether the said Ordinance, now read, should be cast out? it was resolved in the affirmative, nem con: and then the lords adjourned for a week.—The Names of those few noble peers who had the courage, at this dangerous time, to make the aforesaid Resolutions, were, Denbigh, Speaker, Northumberland, Mulgrave, Pembroke, Rutland, Kent, Manchester, North, Hunsdon, Maynard, Dacres, Berkeley.

Jan. 3. The first thing the commons did this day, was to appoint two of their members, to go to Mr. Brown, clerk to the lords house, to inspect their Journals, and see how the business stood there upon the Ordinance and Vote relating to the King. These being returned, reported, first, the Names of all the lords who sat in the house that day; and then the other particulars, exactly as before given. Sir James Harrington, sir Henry Mildmay, sir Peter Wentworth, Mr. Scott, and some others, so much resented the lords rejecting the Ordinance for Trial of the King, that they insisted upon impeaching such of them as were present upon that Occasion, of High Treason, as favourers of the Grand Delinquent of England, and enemies to public justice and the liberty of the people: but this was over-ruled, However, the commons resolved, "That the several members of their house and others, appointed by the Orders and Ordinances of parliament to act in any Ordinance wherein the lords are joined, be impowered and enjoined to sit, act, and execute the said several committees of themselves, notwithstanding the lords will not join with them." After this, a Committee was appointed to draw up another Ordinance for erecting a High Court of Justice for the Trial of the King; in which the names of the six peers and the three judges were left out.

The Commons lay aside a Letter from the Queen, on behalf of the King.] The same day a Letter from the Queen was presented to the Speaker of the house of commons, by

* Many of these Commissioners refused to act at all; some attented only once or twice at committees; others sat in Judgment upon the king, but did not sign the Warrant for his Execution; and the rest went through every circumstance from first to last. All these Distinctions, so far as they concerned such of them as were members of the house of commons, are prefixed to their respective Names in the List of this parliament already given in vol. ii, p. 597.

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the French ambassador. Lord Clarendon informs us, "That it contained a very passionate lamentation of the sad condition the king her husband was in; desiring that they would grant her a pass to come over to him, and offering to use all the credit she had with him, that he might give them satisfaction: that however, if they would not give her leave to perform any of those offices towards the public, that she might be permitted to perform the duty she owed him, and to be near him in his uttermost extremity." But this Letter was laid aside without a reading.

The Commons vote themselves to be the Supreme Power of the Nation, &c.] Jan. 4. The commons being again met, the door of their house was ordered to be shut, and no member suffered to go out of it. Then a debate began, which ended in the following Resolutions; Resolved &c. "That the commons of England, in parliament assembled, do declare, That the People are, under God, the orginal of all just power. And do also declare, That the commons of England, in parliament assembled, being chosen by, and representing the people, have the Supreme Power in this Nation. And do also declare, That whatsoever is enacted, or declared for law, by the commons in parliament assembled, hath the force of a law; and all the people of this nation are concluded thereby, although the consent and concurrence of king, or house of peers, be not had thereunto."

Jan. 5. Mr. Prynne having at this time published a Pamphlet, intitled, 'A Brief Memento unto the present unparliamentary juncto, touching their present intentions and proceedings to depose and execute Charles Stuart, their lawful King,' two Members were ordered to go to Mr. Prynne, shew him the book, and ask him whether he will own and avow the said book; who being returned, reported that they had been with Mr. Prynne, and that he said, 'He would give no answer until he was commanded by a lawful authority.' Ordered, "That this Answer be taken into consideration this day se'nnight. In the mean time that the general be desired to command his marshal to put the Ordinance of September 30, 1647, concerning scandalous pamphlets, in execution."

Mr. Henry Elsyng, clerk of the house of commons, having desired leave to resign that office, on account of his ill state of health*, Mr. Henry Scobell was appointed in his room. It was also ordered that a Book of Vellum should be forthwith prepared, for entering all the public Acts of that house.

The Commons pass an Act for the Trial of the King.] Jan. 6. The commons being informed that the king's present condition was such as to admit an easy possibility of an Escape, ordered, "That the General be acquainted therewith, and that he be required to take speedy and special care for close securing the King's Person, and preventing any recourse to him, unless by order from the house." Also, "That the Commissioners nominated in the Act for erecting an High Court of Justice for the trying and judging of Charles Stuart, king of England, do meet on the 8th inst. at 2 in the afternoon, in the Painted Chamber." The commons then read a 3d time, and passed, their Act for erecting an High Court of Justice for Trying the King.

These violent Proceedings gave so much disgust to the Committee of Estates of the Parliament of Scotland, then resident in London, that they sent a Letter, addressed to the Speaker, protesting against them. All the notice the commons took of this Remonstrance, was to order it to be read the next Monday, Jan. 8.

Jan. 9. The lords met again, and passed some Ordinances for securing the better Payment of the Army, which had been sent up by the commons; and then appointed the lords following to prepare and bring in an Ordinance to this effect, "That whatsoever king of England shall, hereafter, levy war against the parliament and kingdom of England, shall be guilty of High Treason, to be tried in parliament:" The earls of Denbigh, Kent, Pembroke, Salisbury, and Mulgrave; the lords Hunsdon and Maynard, with the two lord chief justices and the chief baron as assistants. But this Ordinance was never brought in, the house of lords, as well as their king, seeming now in a dying condition; not above 5 or 6 of them being put down as attending the house every day, and little or no business of consequence done at it. Adjourned to the 18th.

The Commons order a new Great Seal to be made.] The same day the commons agreed on having a new Great Seal, on which was to be engraven, on one side, a map of England, Ireland, and the Islands of Jersey and Guernsey; with the Arms of England and Ireland, by which they are differenced from other kingdoms. The Inscription on the map side, 'The Great Seal of England, 1648:' on the reverse, a sculpture of the house of commons sitting: the motto, 'In the first Year of Freedom, by God's Blessing, restored, 1648.' Mr. Whitlocke informs us, That the device, and more particularly the Inscriptions on the Seal, were the fancy of Mr. Henry Marten. The sum of 60*l.* was ordered to be charged on the revenue towards the expence of this Seal, which was afterwards increased to 200*l.*

Jan. 10. The commons took Mr. Prynne's Answer, concerning his Memento, into consideration; and resolved, That thereby he had disowned the authority of the parliament; and ordered, That he be forthwith sent for in safe custody by the serjeant at arms attending the house. The serjeant returning, said, 'That he went to Mr. Prynne, and shewed him his

* Mr. Whitlocke writes, That the true reason of Mr. Elsyng's resignation was, because he would not be concerned in the Proceedings against the King. Memorials, p. 359.

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warrant,' who gave him this Answer. 'That upon the 6th of Dec. last, as he was coming to do his duty in the house of commons, he was taken by col. Pride and sir Hardress Waller, and by them imprisoned, he knew not for what cause: that he yet remains under restraint, and is not yet discharged from that imprisonment, and therefore he would not come upon that warrant.'

Jan. 15. The commons continued to sit every day, except Sundays, though nothing material was done till this day, when a Declaration, ordered to be drawn on the 13th of last month, shewing the reasons for annulling and vacating the former Votes for taking off those of Non-Address to the king; and also for justifying the late and present proceedings of the house of commons, was read by parts, and, upon the question, agreed to.

Jan. 18. The lords being met, pursuant to adjournment, an Order was made by them, and sent down to the commons, "That, on account of the Great Business now in agitation, about settling the affairs of the kingdom, it would be convenient to adjourn the next Term for some small time." To this Message the commons returned the usual Answer, "That the house would send an Answer by messengers of their own."—However this might be taken by their lordships, they could not but be sensible that the time of their dissolution drew nigh; since the commons had not only voted themselves the Supreme Power of the kingdom, but had also passed some Acts by their own sole authority, besides that for the Trial of the King, and had voted and published them as Law. And on this very day, soon after the former Message was sent to the lords, a question being proposed in the commons, That the lords concurrence be desired to the three Votes of the 4th instant, it passed in the negative by 25 against 18. Nor did they ever send any Message to the lords about the Adjournment of the Term; but, the next day, made and published an Act of their own to that purpose.

The King brought before the High Court of Justice, in Westminster Hall.] Jan. 19. The High Court of Justice had met several times before this, after the rising of the house, to open their Commission, choose a President, and regulate some further preliminaries to the King's Trial; in order to which he was this day removed, under a strong guard, from Windsor to St. James's; and, on the next day, brought to Westminster Hall, before the High Court of Justice, where 67 of the Commissioners appeared upon the Bench. What passed before this unprecedented kind of tribunal, it is not in our province to relate, there being little or no mention made of their proceedings in the Journals of either house. And since the Trial itself has been so often printed, there is less occasion for us to proceed with the melancholy subject; observing only, from the Journals of the commons, that they had prejudged the King's Death, by appointing a committee, on the 17th of this month, to go and take an exact Inventory of his Goods, &c. in all his Palaces. A thing not practised before the conviction of the vilest malefactor.*

* The following short account of the Trial and Execution of this unfortunate monarch, may not be unacceptable to the reader. "All the circumstances of the trial were now adjusted; and the high court of justice fully constituted. It consisted of 133 persons, as named by the commons; but there scarcely ever sat above 70: so difficult was it, notwithstanding the blindness of prejudice and the allurements of interest, to engage men of any name or character in that criminal measure. Cromwell, Ireton, Harrison, and the chief officers of the army, most of them of mean birth, were members, together with some of the lower house; and some citizens of London. The twelve judges were at first appointed in the number: but as they had affirmed, that it was contrary to all the ideas of English law to try the king for treason, by whose authority all accusations for treason must necessarily be conducted; their names, as well as those of some peers, were afterwards struck out. Bradshaw, a lawyer, was chosen president, Coke was appointed solicitor for the people of England. Dorislaus, Steele, and Aske, were named assistants. The court sat in Westminster-hall.—It is remarkable, that, in calling over the court, when the crier pronounced the name of Fairfax, which had been inserted in the number, a voice came from one of the spectators, and cried, 'He has more wit than to be here.' When the charge was read against the king, 'in the name of the people of England,' the same voice exclaimed, 'Not a tenth part of them.' Axtel the officer, who guarded the court, giving orders to fire into the box whence these insolent speeches came; it was discovered, that lady Fairfax was there, and that it was she who had had the courage to utter them. She was a person of noble extraction, daughter of Horace, lord Vere of Tilbury; but being seduced by the violence of the times, she had long seconded her husband's zeal against the royal cause, and was now, as well as he, struck with abhorrence at the fatal and unexpected consequence of all his boasted victories.—The pomp, the dignity, the ceremony of this transaction corresponded to the greatest conception that is suggested in the annals of human kind; the delegates of a great people sitting in judgment upon their supreme magistrate, and trying him for his misgovernment and breach of trust. The solicitor, in the name of the commons, represented, that Charles Stuart, being admitted king of England, and entrusted with a limited power; yet nevertheless, from a wicked design to erect an unlimited and tyrannical government, had traiterously and maliciously levied war against the present parliament, and the people whom they represented, and was therefore impeached as a tyrant, traitor, murderer, and a public and implacable enemy to the commonwealth. After

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Jan. 20. The commons, at the King's desire, gave leave to Dr. Juxon, the then deprived bishop of London, to attend him as long as the king should require him; but not to permit him to go to and fro, but constantly to abide with him. The Prince Elector had permission from them also, at his request, to visit the King in the presence of his guards.

A Petition from the Army, presented to the Commons, inclosing 'AN AGREEMENT OF THE PEOPLE,' *for a Settlement of the Nation upon a New Plan.*] The same day the house being informed, That divers Officers of the Army were at the door, they were called in; and lieut. gen. Hammond acquainted them, that the Lord-General and his Council of Officers had commanded him, col. Okey, and the other gentlemen with him, to present to them their

the charge was finished, the president directed his discourse to the king, and told him, that the court expected his answer. The king, though long detained a prisoner, and now produced as a criminal, sustained, by his magnanimous courage, the majesty of a monarch. With great temper and dignity, he declined the authority of the court, and refused to submit himself to their jurisdiction. He represented, "That having been engaged in treaty with his two houses of parliament, and having finished almost every article, he had expected to be brought to his capital in another manner, and ere this time, to have been restored to his power, dignity, revenue, as well as to his personal liberty: that he could not now perceive any appearance of the upper house, so essential a member of the constitution; and had learned, that even the commons, whose authority was pretended, were subdued by lawless force, and were bereaved of their liberty: that he himself was their *Native Hereditary King;* nor was the whole authority of the state, though free and united, entitled to try him, who derived his dignity from the Supreme Majesty of Heaven: that, admitting those extravagant principles which levelled all orders of men, the court could plead no power delegated by the people; unless the consent of every individual, down to the meanest and most ignorant peasant, had been previously asked and obtained: that he acknowledged without scruple, that he had a trust committed to him, and one most sacred and inviolable; he was entrusted with the liberties of his people, and would not now betray them, by recognising a power founded on the most atrocious violence and usurpation: that having taken arms, and frequently exposed his life in defence of public liberty, of the constitution, of the fundamental laws of the kingdom, he was willing, in this last and most solemn scene, to seal with his blood those precious rights for which, though in vain, he had so long contended: that those who arrogated a title to sit as his judges, were born his subjects, and born subjects to those laws, which determined, 'That the king can do no wrong:' that he was not reduced to the necessity of sheltering himself under this general maxim, which guards every English monarch, even the least deserving; but was able, by the most satisfactory reasons, to justify those measures in which he had been engaged: that, to the whole world, and even to them, his pretended judges, he was desirous, if called upon in another manner, to prove the integrity of his conduct, and assert the justice of those defensive arms, to which, unwillingly and unfortunately, he had had recourse: but that, in order to preserve a uniformity of conduct, he must at present forego the apology of his innocence; lest, by ratifying an authority, no better founded than that of robbers and pirates, he be justly branded as the betrayer, instead of being applauded as the martyr, of the constitution." The president, in order to support the majesty of the people, and maintain the superiority of his court above the prisoner, still inculcated, "That he must not decline the authority of his judges; that they over-ruled his objections; that they were delegated by the people, the only source of every lawful power; and that kings themselves acted but in trust from that community, which had invested this high court of justice with its jurisdiction, even according to those principles, which in his present situation he was perhaps obliged to adopt, his behaviour in general will appear not a little harsh and barbarous; but when we consider him as a subject, and one too of no high character, addressing himself to his unfortunate sovereign, his style will be esteemed, to the last degree, audacious and insolent. Three times was Charles produced before the court, and as often declined their jurisdiction. On the fourth the judges having examined some witnesses, by whom it was proved that the king had appeared in arms against the forces commissioned by the parliament; they pronounced sentence against him. He seemed very anxious, at this time, to be admitted to a conference with the two houses; and it was supposed, that he intended to resign the crown to his son: but the court refused compliance, (27th Jan.) and considered that request as nothing but a delay of justice. It is confessed, that the king's behaviour, during this last scene of his life, does honour to his memory; and that, in all appearances before his judges, he never forgot his part, either as a prince or as a man. Firm and intrepid, he maintained, in each reply, the utmost perspicuity and justness both of thought and expression: mild and equable, he rose into no passion at that unusual authority which was assumed over him. His soul, without effort or affectation, seemed only to remain in the situation familiar to it, and to look down with contempt on all the efforts of human malice and iniquity. The soldiers, instigated by their superiors, were brought, though with difficulty, to cry aloud for justice: 'Poor souls!' said the king to one of his attendants; 'for a little money they would do as much against their commanders.' Some

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humble Petition, with a Writing in parchment; which were as follows:

To the Hon. the COMMONS of England, in Parliament assembled; The Humble PETITION of his Excellency THOMAS Lord FAIRFAX, and the General Council of Officers of the Army under his Command. Whitehall, Jan. 15, 1648.

"In our late Remonstrance, of the 16th Nov. last, we propounded, next after the matters of public Justice, some Foundations for a general Settlement of Peace in the Nation, which we therein desired might be formed and established in the nature of a general contract or Agreement of the people: and since then, the matters so propounded being wholly rejected, or no consideration of them admitted in parliament, though visibly of highest moment to the public, and all ordinary remedies being denied, we were necessitated to an extraordinary way of remedy; whereby, to avoid the mischiefs then at hand, and set you in a condition, without such obstructions or diversions by corrupt members, to proceed to matters of public justice and general Settlement.—Now, as nothing did, in our own hearts, more justify our late undertakings towards many members in this parliament, than the necessity thereof in order to a sound Settlement in the kingdom, and the integrity of our intentions to make use of it only to that end; so we hold ourselves obliged to give the people all assurance possible, That our opposing the corrupt closure endeavoured with the king, was not in design to hinder Peace or Settlement, thereby to render our employments, as soldiers, necessary to be continued; and that neither that extraordinary course we have taken, nor any other proceedings of ours, have been intended for the setting up of any particular party or interest, by or with which to uphold ourselves in power and dominion over the nation; but that it was, and is, the desire of our hearts, in all we have done, with the hindering of that imminent evil and destructive conjunction with the king to make way for the Settlement of a Peace and Government of the kingdom upon grounds of common freedom and safety; and therefore, because our former overtures for that purpose (being only in general terms, and

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of them were permitted to go the utmost length of brutal insolence, and to spit in his face as he was conducted along the passage to the court. To excite a sentiment of piety was the only effect which this inhuman insult was able to produce upon him. The people, though under the rod of lawless, unlimited power, could not forbear, with the most ardent prayers, pouring forth their wishes for his preservation; and, in his present distress, they avowed him, by their generous tears, for their monarch, whom, in their misguided fury, they had before so violently rejected. The king was softened at this moving scene, and expressed his gratitude for their dutiful affection. One soldier too, seized by contagious sympathy, demanded from heaven a blessing on oppressed and fallen majesty: his officer, overhearing the prayer, beat him to the ground in the king's presence. 'The punishment, methinks, exceeds the offence': this was the reflection which Charles formed on that occasion.—Three days were allowed the king between his sentence and his execution. This interval he passed with great tranquillity, chiefly in reading and devotion. All his family that remained in England were allowed access to him. It consisted only of the princess Elizabeth and the duke of Glocester; for the duke of York had made his escape. Glocester was little more than an infant: the princess, notwithstanding her tender years, shewed an advanced judgment; and the calamities of her family had made a deep impression upon her. After many pious consolations and advices, the king gave her in charge to tell the queen, that, during the whole course of his life, he had never once, even in thought, failed in his fidelity towards her; and that his conjugal tenderness and his life should have an equal duration. To the young duke too, he could not forbear giving some advice, in order to season his mind with early principles of loyalty and obedience towards his brother, who was so soon to be his sovereign. Holding him on his knee, he said, 'Now they will cut off thy father's head.' At these words the child looked very stedfastly upon him. 'Mark, child! what I say: they will cut off my head! and perhaps make thee a king: but mark what I say, thou must not be a king, as long as thy brothers Charles and James are alive. They will cut off thy brothers' heads, when they can catch them! and thy head too they will cut off at last! therefore I charge thee, do not be made a king by them!' The duke, sighing, replied, 'I will be torn in pieces first!' So determined an answer, from one of such tender years, filled the king's eyes with tears of joy and admiration. Every night, during this interval, the king slept sound as usual; though the noise of workmen, employed in framing the scaffold, and other preparations for his execution, continually resounded in his ears. The morning of the fatal day (30th Jan.) he rose early; and calling Herbert, one of his attendants, he bade him employ more than usual care in dressing him, and preparing him for so great and joyful a solemnity. Bishop Juxon, a man endowed with the same mild and steady virtues by which the king himself was so much distinguished, assisted him in his devotions, and paid the last melancholy duties to his friend and sovereign. The street before Whitehall was the place destined for the execution: for it was intended, by choosing that very place, in sight of his own palace, to display more evidently the triumph of popular justice over royal majesty. When the king came upon the scaffold, he found it so surrounded with soldiers, that he could not expect to be heard by any of the people: he addressed, therefore, his dis-

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not reduced to a certainty of particulars fit for practice) might possibly be understood but as plausible pretences, not intended really to be put into effect; we have thought it our duty to draw out these Generals into an intire frame of Particulars, ascertained with such circumstances as may make it effectively practicable; and, for that end, while your time hath been taken up in other matters of high and present importance, we have spent much of ours in preparing and perfecting such a Draught of Agreement, and in all things so circumstantiated, as to render it ripe for your speedier consideration, and the kingdom's acceptance and practice, if approved; and so we do herewith humbly present it to you.—Now, to prevent misunderstanding of our intentions therein, we have but this to say, That we are far from such a spirit, as positively to impose our private apprehensions upon the judgments of any in the kingdom, that have not forfeited their freedom, and much less upon yourselves: neither are we apt in anywise to insist upon circumstantial things, or ought that is not evidently fundamental to that public interest for which you and we have declared and engaged; but, in this tender of it, we humbly desire, 1. That, whether it shall be fully approved by you and received by the people, as it now stands or not, it may yet remain upon record, before you, a perpetual witness of our real intentions and utmost endeavours for a sound and equal Settlement; and as a testimony whereby all men may be assured what we are willing and ready to acquiesce in; and their jealousies satisfied or mouths stopt, who are apt to think or say, We have no bottom. 2. That, with all the expedition which the immediate and pressing great affairs will admit, it may receive your most mature consideration and resolutions upon it; not that we desire either the whole, or what you shall like in it, should be by your authority imposed as a law upon the kingdom, for so it would lose the intended nature of 'An Agreement of the People;' but that, so far as it concurs with your own judgments, it may receive your seal of approbation only. 3. That, according to the method propounded therein, it may be tendered to the people in all parts, to be subscribed by those

course to the few persons who were about him; particularly colonel Tomlinson, to whose care he had lately been committed, and upon whom, as upon many others, his amiable deportment had wrought an entire conversion. He justified his own innocence in the late fatal wars, and observed, that he had not taken arms till after the parliament had inlisted forces; nor had he any other object in his warlike operations, than to preserve that authority entire, which his predecessors had transmitted to him. He threw not, however, the blame upon the parliament; but was more inclined to think that ill instruments had interposed, and raised in them fears and jealousies with regard to his intentions. Though innocent towards his people, he acknowledged the equity of his execution in the eyes of his Maker; and observed, that an unjust sentence, which he had suffered to take effect, was now punished by an unjust sentence upon himself. He forgave all his enemies, even the chief instruments of his death; but exhorted them and the whole nation to return to the ways of peace, by paying obedience to their lawful sovereign, his son and successor. When he was preparing himself for the block, bishop Juxon called to him: 'There is, sir, but one stage more, which, though turbulent and troublesome, is yet a very short one. Consider, it will soon carry you a great way; it will carry you from earth to heaven; and there you shall find, to your great joy, the prize to which you hasten, a crown of glory.' 'I go,' replied the king, 'from a corruptible to an incorruptible crown; where no disturbance can have place.' At one blow was his head severed from his body. A man in a vizor performed the office of executioner: another, in a like disguise, held up to the spectators the head streaming with blood, and cried aloud, 'This is the head of a traitor!'—A fresh instance of hypocrisy was displayed the very day of the king's death. The generous Fairfax, not content with being absent from the trial, had used all the interest which he yet retained, to prevent the execution of the fatal sentence; and had even employed persuasion with his own regiment, though none else would follow him, to rescue the king from his disloyal murderers. Cromwel and Ireton, informed of this intention, endeavoured to convince him, that the Lord had rejected the king; and they exhorted him to seek by prayer some direction from heaven on this important occasion: but they concealed from him that they had already signed the warrant for the execution. Harrison was the person appointed to join in prayer with the unwary general. By agreement, he prolonged his doleful cant, till intelligence arrived, that the fatal blow was struck. He then rose from his knees, and insisted with Fairfax, that this event was a miraculous and providential answer, which heaven had sent to their devout supplications.—It being remarked, that the king, the moment before he stretched out his neck to the executioner, had said to Juxon, with a very earnest accent, the single word *Remember*; great mysteries were supposed to be concealed under that expression; and the generals vehemently insisted with the prelate, that he should inform them of the king's meaning. Juxon told them, that the king, having frequently charged him to inculcate on his son the forgiveness of his murderers, had taken this opportunity, in the last moment of his life, when his commands, he supposed, would be regarded as sacred and inviolable, to reiterate that desire; and that his mild spirit thus terminated its present course, by an act of benevolence towards his greatest enemies." Hume

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that are willing, as petitions and other things of a voluntary nature are; and that, in the mean while, the ascertaining of those circumstances, which are referred to commissioners in the several counties, may be proceeded upon in a way preparatory to the practice of it: and if, upon the account of Subscriptions (to be returned by those Commissioners in April next) there appears a general or common reception of it amongst the people, or by the Well-affected of them, and such as are not obnoxious for Delinquency, it may then take place and effect, according to the tenor and substance of it. By the Appointment of his Excellency, and the General Council of Officers of the Army, Jo. RUSHWORTH, Secr."

Agreement of the People, for a Settlement of the Nation upon a new Plan.] The Writing in Parchment, presented to the house along with the foregoing Petition, was intituled

An AGREEMENT of the People of England, and the Places therewith incorporated, for a secure and present Peace, upon Grounds of common Right, Freedom, and Safety.*

"Having, by our late labours and hazards, made it appear to the world at how high a rate we value our just freedom; and God having so far owned our cause as to deliver the enemies thereof into our hands, we do now hold ourselves bound, in mutual duty to each other, to take the best care we can, for the future, to avoid both the danger of returning into a slavish condition, and the chargeable remedy of another war: for as it cannot be imagined that so many of our countrymen would have opposed us in this quarrel, if they had understood their own good, so may we hopefully promise to ourselves, that when our common Rights and Liberties shall be cleared, their endeavours will be disappointed that seek to make themselves our masters; since therefore our former oppressions and not-yet-ended troubles, have been occasioned either by want of frequent national meetings in council, or by the undue or unequal constitution thereof, or by rendering those meetings ineffectual, we are fully agreed and resolved, God willing, to provide, That hereafter our Representatives be neither left to an uncertainty for times nor be unequally constituted, nor made useless to the ends for which they are intended. In order whereunto we declare and agree,

"*First*, That, to prevent the many inconveniences apparently arising from the long continuance of the same persons in Supreme Authority, this present parliament end and dissolve upon, or before, the last day of April, 1649.

"*Secondly*, That the People of England (being at this day very unequally distributed by counties, cities, and boroughs, for the election of their representatives) be indifferently proportioned; and, to this end, that the representative of the whole nation shall consist of 400 persons, or not above; and in each country, and the places thereto subjoined, there shall be chosen, to make up the said Representative at all times, the several numbers here mentioned, viz.

KENT, with the Boroughs, Towns, and Parishes therein, except such as are here-under particularly named	10
Canterbury, with the Suburbs adjoining, and Liberties thereof	2
Rochester, with the Parishes of Chatham and Stroud	1
The Cinque-Ports in Kent and Sussex, viz. Dover, Romney, Hythe, Sandwich, Hastings, with the Towns of Rye and Winchelsea	3
SUSSEX, with the Boroughs, Towns, and Parishes therein, except Chichester	8
Chichester, with the Suburbs and Liberties thereof	1
SOUTHAMPTON County, with the Boroughs, Towns, and Parishes therein, except such as are here-under named	8
Winchester, with the Suburbs and Liberties thereof	1
Southampton Town and the County thereof	1
DORSETSHIRE, with the Boroughs, Towns, and Parishes therein, except Dorchester	7
Dorchester	1
DEVONSHIRE, with the Boroughs, Towns, and Parishes therein, except such as are here-under particularly named	12
Exeter	2
Plymouth	2
Barnstaple	1
CORNWALL, with the Boroughs, Towns, and Parishes therein	8
SOMERSETSHIRE, with the Boroughs, Towns, and Parishes therein, except such as are here-under named	8
Bristol	3
Taunton-Dean	1
WILTSHIRE, with the Boroughs, Towns, and Parishes therein, except Salisbury	7
Salisbury	1
BERKSHIRE, with the Boroughs, Towns, and Parishes therein, except Reading	5
Reading	1
SURREY, with the Boroughs, Towns, and Parishes therein, except Southwark	5
Southwark	2
MIDDLESEX, with the Boroughs, Towns, and Parishes therein, except such as are here-under named	4
London	8
Westminster and the Duchy	2
HERTFORDSHIRE, with the Boroughs, Towns and Parishes therein	6
BUCKINGHAMSHIRE, with the Boroughs, Towns, and Parishes therein	6
OXFORDSHIRE, with the Boroughs, Towns,	

* Mr. Whitlocke writes, "That the frame of this Agreement of the People was thought to be, for the most part, made by commissary general Ireton, a man full of invention and industry, who had a *little* knowledge of the law, which led him into the *more* errors." Memorials, p. 356.

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and Parishes therein, except such as are here-under named - - - - 4
Oxford City - - - - - - - 2
Oxford University - - - - - - 2
GLOUCESTERSHIRE, with the Boroughs, Towns, and Parishes therein, except Gloucester - - - - - - 7
Gloucester - - - - - - - 2
HEREFORDSHIRE, with the Boroughs, Towns, and Parishes therein, except Hereford - 4
Hereford - - - - - - - 1
WORCESTERSHIRE, with the Boroughs, Towns, and Parishes therein, except Worcester - - - - - - - 4
Worcester - - - - - - - 2
WARWICKSHIRE, with the Boroughs, Towns and Parishes therein, except Coventry - 5
Coventry - - - - - - - 2
NORTHAMPTONSHIRE, with the Boroughs, Towns, and Parishes therein, except Northampton - - - - - - 5
Northampton - - - - - - 1
BEDFORDSHIRE, with the Boroughs, Towns, and Parishes therein - - - - 4
CAMBRIDGESHIRE, with the Boroughs, Towns, and Parishes therein, except such as are here-under particularly named - 4
Cambridge University - - - - 2
Cambridge Town - - - - - 2
ESSEX, with the Boroughs, Towns, and Parishes therein, except Colchester - - 11
Colchester - - - - - - - 2
SUFFOLK, with the Boroughs, Towns, and Parishes therein, except such as are hereafter named - - - - - - 10
Ipswich - - - - - - - 2
St. Edmund's Bury - - - - - 1
NORFOLK, with the Boroughs, Towns, and Parishes therein, except such as are here-under named - - - - - - 9
Norwich - - - - - - - 3
Lynn - - - - - - - 1
Yarmouth - - - - - - - 1
LINCOLNSHIRE, with the Boroughs, Towns, and Parishes therein, except the City of Lincoln and Town of Boston - - 11
Lincoln - - - - - - - - 1
Boston - - - - - - - - 1
RUTLANDSHIRE, with the Boroughs, Towns, and Parishes therein - - - - 1
HUNTINGDONSHIRE, with the Boroughs, Towns, and Parishes therein - - 3
LEICESTERSHIRE, with the Boroughs, Towns, and Parishes therein, except Leicester - - - - - - - 5
Leicester - - - - - - - 1
NOTTINGHAMSHIRE, with the Boroughs, Towns, and Parishes therein, except Nottingham - - - - - - - 4
Nottingham - - - - - - - 1
DERBYSHIRE, with the Boroughs, Towns, and Parishes therein, except Derby - 5
Derby - - - - - - - - 1
STAFFORDSHIRE, with the City of Litchfield, the Boroughs, Towns, and Parishes therein 6
SHROPSHIRE, with the Boroughs, Towns, and Parishes therein, except Shrewsbury 6
Shrewsbury - - - - - - - 1
CHESHIRE, with the Boroughs, Towns, and Parishes therein, except Chester - - 5
Chester - - - - - - - - 2
LANCASHIRE, with the Boroughs, Towns, and Parishes therein, except Manchester 6
Manchester and the Parish - - - - 1
YORKSHIRE, with the Boroughs, Towns, and Parishes therein, except such as are here-after named - - - - - 15
York City and the County thereof - - 3
Kingston upon Hull, and the County thereof 1
Leeds Town and Parish - - - - - 1
DURHAM County-Palatine, with the Boroughs, Towns, and Parishes therein, except Durham and Gateside - - - 3
Durham City - - - - - - 1
NORTHUMBERLAND, with the Boroughs, Towns, and Parishes therein, except such as are here-under named - - - 3
Newcastle upon Tyne and the County thereof, with Gateside - - - - 2
Berwick - - - - - - - 1
CUMBERLAND, with the Boroughs, Towns, and Parishes therein - - - - 3
WESTMORELAND, with the Boroughs, Towns, and Parishes therein - - - - 2

WALES.

ANGLESEY, with the Parishes therein - 2
BRECKNOCK, with the Boroughs and Parishes therein - - - - - - 3
CARDIGAN, with the Boroughs and Parishes therein - - - - - - - 3
CAERMARTHEN, with the Boroughs and Parishes therein - - - - - - 3
CARNARVON, with the Boroughs and Parishes therein - - - - - - 2
DENBIGH, with the Boroughs and Parishes therein - - - - - - - 2
FLINT, with the Boroughs and Parishes therein - - - - - - - 1
MONMOUTH, with the Boroughs and Parishes therein - - - - - - 4
GLAMORGAN, with the Boroughs and Parishes therein - - - - - - 4
MERIONETH, with the Boroughs and Parishes therein - - - - - - 2
MONTGOMERY, with the Boroughs and Parishes therein - - - - - - 3
RADNOR, with the Boroughs and Parishes therein - - - - - - - 2
PEMBROKE, with the Boroughs, Towns, and Parishes therein - - - - - - 4

"Provided, That, the first or second Representative may, if they see cause, assign the remainder of the 400 representers, not hereby assigned, or so many of them as they shall see cause for, unto such counties as shall appear in this present distribution to have less than their due proportion. Provided also, That where any city or borough, to which one representer or more is assigned, shall be found in a due proportion, not competent alone to elect a representer, of the number of representers assigned thereto, it is left to future representatives to assign such a number of parishes or villages near adjoining to such city or borough,

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to be joined therewith in the elections, as may make the same proportionable.

"*Thirdly*, That the people do, of course, choose themselves a representative once in 2 years, and shall meet for that purpose upon the first Thursday in every second May, by 11 in the morning; and the representatives so chosen to meet upon the second Thursday in the June following, at the usual place in Westminster, or such other place as, by the foregoing Representative, or the Council of State in the interval, shall be, from time to time, appointed and published to the people, at the least 20 days before the time of election: and to continue their sessions there, or elsewhere, until the second Thursday in December following, unless they shall adjourn, or dissolve themselves sooner; but not to continue longer. The election of the first representative to be on the first Thursday in May, 1649; and that, and all future elections, to be according to the Rules prescribed for the same purpose in this Agreement, viz. 1. That the electors in every division shall be natives or denizens of England; not persons receiving alms, but such as are assessed ordinarily towards the relief of the poor; not servants to, and receiving wages from, any particular person. And in all elections, except for the Universities, they shall be men of 21 years of age, or upwards, and housekeepers, dwelling within the division for which the election is: Provided, That (until the end of 7 years next ensuing the time herein limited for the end of this present parliament) no person shall be admitted to, or have any hand or voice in, such elections, who hath adhered unto or assisted the king against the parliament in any of the late wars or insurrections; or who shall make, or join in, or abet, any forcible opposition against this Agreement.—2. That such persons, and such only, may be elected to be of the Representative, who, by the rule aforesaid, are to have voice in elections in one place or other.—Provided, That of those none shall be eligible for the first or second Representative, who have not voluntarily assisted the parliament against the king, either in person before the 14th of June, 1645, or else in money, plate, horse, or arms, lent upon the Propositions, before the end of May, 1643; or who have joined in, or abetted, the treasonable Engagement in London, in 1647; or who declared or engaged themselves for a Cessation of Arms with the Scots that invaded this nation the last summer; or for compliance with the actors in any insurrections of the same summer; or with the Prince of Wales, or his accomplices, in the revolted Fleet. Provided also, 'That such persons as, by the Rules in the preceding Article, are not capable of electing until the end of 7 years, shall not be capable to be elected until the end of 14 years next ensuing. And we desire and recommend it to all men, that, in all times, the persons to be chosen for this great trust may be men of courage, fearing God and hating covetousness; and that our representatives would make the best provisions for that end.—3. That whoever, by the Rules in the two preceding Articles, are incapable of electing, or to be elected, shall presume to vote in, or be present at, such election for the first or second Representative; or, being elected, shall presume to sit or vote in either of the said representatives, shall incur the pain of confiscation of the moiety of his estate, to the use of the public, in case he have any visible estate to the value of 50*l.* and if he has not such an estate, then shall incur the pain of imprisonment for 3 months. And if any person shall forcibly oppose, molest, or hinder the people, capable of electing as aforesaid, in their quiet and free election of representers, for the first Representative, then each person so offending shall incur the penalty of Confiscation of his whole estate, both real and personal; and, if he has not an estate to the value of 50*l.* shall suffer imprisonment during one whole year without bail or mainprize. Provided, That the offender in each such case be convicted within 3 months next after the committing of his offence, and the first Representative is to make further provision for the avoiding of these evils in future elections.—1. That to the end all officers of state may be certainly accountable, and no factions made to maintain corrupt interests, no member of a council of state, nor any officer of any salary-forces in army or garrison, nor any treasurer or receiver of public money, shall, while such, be elected to be of a representative: and in case any such election shall be, the same to be void. And in case any lawyer shall be chosen into any Representative, or council of State, then he shall be incapable of practice as a lawyer during that trust.—5. For the more convenient election of representatives, each county, wherein more than three representers are to be chosen, with the towns corporate and cities, if there be any, lying within the compass thereof, to which no representers are herein assigned, shall be divided by a due proportion into so many, and such parts, as each part may elect two, and no part above three representers. For the setting forth of which divisions, and the ascertaining of other circumstances hereafter expressed, so as to make the elections less subject to confusion or mistake, in order to the next Representative, Thomas lord Grey of Grooby, sir John Danvers, sir Henry Holcroft, knights; Moses Wall, gentleman; Samuel Moyer, John Langley, Wm. Hawkins, Abraham Babington, Daniel Taylor, Mark Hilsley, Rd. Price, and col. John White, citizens of London, or any 5 or more of them, are intrusted to nominate and appoint, under their hands and seals, three or more fit persons in each county, and in each city and borough, to which one representer or more is assigned, to be as commissioners, for the ends aforesaid, in the respective counties, cities, and boroughs; and, by like writing under their hands and seals, shall certify into the Parliament Records, before the 14th of Feb. next, the Names of the Com-

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misioners so appointed for the respective counties, cities and boroughs; which commissioners, or any three or more of them, for the respective counties, cities, and boroughs, shall, before the end of Feb. next, by writing under their hands and seals, appoint two fit and faithful persons, or more, in each hundred, lath, or wapontake, within the respective counties, and in each ward within the city of London, to take care for the orderly taking of all voluntary Subscriptions to this Agreement, by fit persons to be employed for that purpose in every parish; who are to return the subscription, so taken, to the persons that employed them, keeping a transcript thereof to themselves; and those persons, keeping like transcripts, to return the original Subscriptions to the respective commissioners by whom they were appointed, at, or before, the 14th of April next, to be registered and kept in the County Records for the said counties respectively; and the Subscriptions in the city of London to be kept in the chief Court of Record for the said city. And the commissioners for the other cities and boroughs respectively, are to appoint two or more fit persons in every parish within their precincts, to take such Subscriptions; and, keeping transcripts thereof, to return the originals to the respective commissioners by the said 14th of April next, to be registered and kept in the chief court within the respective cities and boroughs. And the same commissioners, or any three or more of them, for the several counties, cities, and boroughs, respectively, shall, where more than 3 Representers are to be chosen, divide such counties, as also the city of London, into so many, and such parts as are aforementioned; and shall set forth the bounds of such divisions; and shall, in every county, city, and borough, where any Representers are to be chosen, and in every such division as aforesaid within the city of London, and within the several counties so divided, respectively, appoint one place certain wherein the people shall meet for the choice of the Representers; and some one fit person, or more, inhabiting within each borough, city, county, or division, respectively, to be present at the time and place of election, in the nature of Sheriffs, to regulate the elections; and by pole, or otherwise, clearly to distinguish and judge thereof, and to make return of the person or persons elected, as is hereafter expressed; and shall likewise, in writing under their hands and seals, make certificates of the several divisions, with the bounds thereof, by them set forth, and of the certain places of meeting, and persons, in the nature of Sheriff, appointed in them respectively as aforesaid; and cause such certificates to be returned into the parliament Records before the end of April next; and before that time shall also cause the same to be published in every parish within the counties, cities, and boroughs respectively; and shall in every such parish likewise nominate and appoint, by warrant under their hands and seals, one trusty person, or more, inhabiting therein, to make a true List of all the persons within their respective parishes, who, according to the rules aforegoing, are to have voice in the elections; and, expressing who amongst them are, by the same rules, capable of being elected; and such list, with the said warrant, to bring in and return, at the time and place of election, unto the person appointed in the nature of Sheriff, as aforesaid, for that borough, city, county, or division respectively; which person so appointed as sheriff, being present at the time and place of election; or, in case of his absence, by the space of one hour after the time limited for the people's meeting, then any person present that is eligible, as aforesaid, whom the people then and there assembled shall chuse for that end, shall receive and keep the said Lists, and admit the persons therein contained, or so many of them as are present, unto a free vote in the said election; and, having first caused this Agreement to be publickly read in the audience of the people, shall proceed unto, and regulate and keep peace and order in the elections; and, by pole, or otherwise, openly distinguish and judge of the same; and thereof, by certificate or writing under the hands and seals of himself, and 6 or more of the electors, nominating the person or persons duly elected, shall make a true return into the parliament Records, within 21 days after the election, under pain for default thereof, or, for making any false return, to forfeit 100*l.* to the public use: and also cause Indentures to be made, and inchangeably sealed and delivered, betwixt himself, and six or more of the said electors, on the one part, and the persons, or each person, elected severally, on the other part, expressing their election of him as a Representer of them according to this Agreement, and his acceptance of that trust, and his promise accordingly to perform the same with faithfulness, to the best of his understanding and ability, for the glory of God, and good of the people.—This course is to hold for the first Representative, which is to provide for the ascertaining of these circumstances in order to future representatives.

"*Fourthly*, That 150 members at least be always present in each sitting of the Representative, at the passing of any law or doing of any act whereby the people are to be bound; saving, That the number of 60 may make a house for debates or Resolutions that are preparatory thereunto.

"*Fifthly*, That each Representative shall, within 20 days after their first meeting, appoint a Council of State for the managing of public affairs, until the 10th day after the meeting of the next representative, unless that next representative thinks fit to put an end to that trust sooner. And the same council to act and proceed therein, according to such instructions and limitations as the Representative shall give and not otherwise.

"*Sixthly*, That, in each interval betwixt biennial representatives, the Council of State, in case of imminent danger or extreme neces-

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sity, may summon a Representative to be forthwith chosen, and to meet; so as the session thereof continue not above 80 days; and so as it dissolve, at least, 50 days before the appointed time for the next biennial representative; and upon the 50th day so preceding it shall dissolve of course, if not otherwise dissolved sooner.

"*Seventhly*, That no member of any Representative be made either receiver, treasurer, or other officer, during that employment, saving to be a member of the council of state.

"*Eighthly*, That the representatives have, and shall be understood to have, the supreme trust in order to the preservation and government of the whole; and that their power extend, without the consent or concurrence of any other person or persons, to the erecting and abolishing of Courts of Justice and public Offices, and to the enacting, altering, repealing, and declaring of laws, and the highest and final judgment, concerning all natural or civil things, but not concerning things spiritual or evangelical.—Provided that, even in things natural and civil, these six Particulars next following are, and shall be, understood to be excepted and reserved from our Representatives, viz. 1. We do not impower them to impress or constrain any person to serve in foreign war, either by sea or land, nor for any military service within the kingdom; save that they may take order for the forming, training, and exercising of the people, in a military way, to be in readiness for resisting of foreign invasions, suppressing of sudden insurrections, or for assisting in execution of the laws; and may take order for the employing and conducting of them for those ends; provided, That, even in such cases, none be compellable to go out of the county he lives in, if he procure another to serve in his room. 2. That, after the time herein limited for the commencement of the First Representative, none of the people may be at any time questioned for any thing said or done in relation to the late wars or public differences, otherwise than in execution or pursuance of the determinations of the present house of commons, against such as have adhered to the king, or his interest, against the people; and saving, that accomptants for public monies received, shall remain accountable for the same. 3. That no securities given, or to be given, by the public faith of the nation, nor any Engagements of the public faith for satisfaction of debts and damages, shall be made void or invalid by the next, or any future representatives; except to such creditors as have, or shall have, justly forfeited the same: and saving, That the next Representative may confirm or make null, in part or in whole, all gifts of lands, monies, offices, or otherwise, made by the present parliament to any member or attendant of either house. 4. That, in any laws hereafter to be made, no person, by virtue of any tenure, grant, charter, patent, degree, or birth, shall be privileged from subjection thereto, or from being bound thereby, as well as others. 5. That the Representative may not give judgment upon any man's person or estate, where no law hath before provided; save only in calling to account and punishing public officers for abusing or failing in their trust. 6. That no Representative may in any wise render up, or give, or take away, any of the foundations of common right, liberty, and safety contained in this Agreement, nor level men's estates, destroy property, or make all things common: and that, in all matters of such fundamental concernment, there shall be a liberty to particular members of the said Representatives to enter their Dissents from the major Vote.

"*Ninthly*, Concerning Religion, we agree as followeth. 1. It is intended that the Christian Religion be held forth and recommended, as the public profession in this nation, which we desire may, by the grace of God, be reformed to the greatest purity in doctrine, worship, and discipline, according to the Word of God; the instructing of the people thereunto in a public way, so it be not compulsive; as also the maintaining of able Teachers for that end, and for the confutation or discovery of heresy, error, and whatsoever is contrary to sound doctrine, is allowed to be provided for by our Representatives; the maintenance of which Teachers may be out of a public treasury, and, we desire, not by tithes. Provided, That Popery or Prelacy be not held forth as the public way or profession in this nation. 2 That, to the public profession so held forth, none be compelled by penalties or otherwise; but only may be endeavoured to be won by sound doctrine, and the example of a good conversation. 3. That such as profess faith in God by Jesus Christ, however differing in judgment from the doctrine, worship, or discipline publicly held forth, as aforesaid, shall not be restrained from, but shall be protected in, the profession of their faith and exercise of religion, according to their consciences, in any place except such as shall be set apart for the public worship; where we provide not for them, unless they have leave, so as they abuse not this liberty to the civil injury of others, or to actual disturbance of the public peace on their parts. Nevertheless, it is not intended to be hereby provided, That this liberty shall necessarily extend to Popery or Prelacy. 4. That all laws, ordinances, statutes, and clauses in any law, statute, or ordinance to the contrary of the liberty herein provided for, in the two particulars next preceding concerning Religion, be, and are hereby, repealed and made void.

"*Tenthly*, It is agreed, That whosoever shall, by force of arms, resist the orders of the next or any future Representative (except in case where such Representative shall evidently render up or give, or take away the foundations of common right, liberty, and safety contained in this Agreement) he shall forthwith, after his or their such resistance, lose the benefit and protection of the laws, and shall be punishable

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with death, as an enemy and traitor to the nation.—Of the things expressed in this Agreement: The certain ending of this parliament, as in the first Article; the equal or proportionable distribution of the number of the Representers to be elected, as in the second; the certainty of the people's meeting to elect for Representatives biennal, and their Freedom in Elections; with the certainty of meeting, sitting, and ending of representatives so elected, which are provided for in the third Article; as also the Qualifications of persons to elect or be elected, as in the first and second Particulars under the third Article; also the certainty of a number for passing a law or preparatory debates, provided for in the fourth Article; the matter of the fifth Article, concerning the Council of State, and of the sixth, concerning the calling, sitting, and ending of Representatives extraordinary; also the power of representatives to be, as in the eighth Article, and limited, as in the six Reserves next following the same: likewise the second and third Particulars under the ninth Article concerning Religion, and the whole matter of the tenth Article: All these we do account and declare to be fundamental to our Common Right, Liberty, and Safety; and therefore do both agree thereunto, and resolve to maintain the same, as God shall enable us. The rest of the matters in this Agreement, we account to be useful and good for the public; and the particular circumstances of numbers, times, and places expressed in the several Articles, we account not fundamental; but we find them necessary to be here determined, for the making the Agreement certain and practicable; and do hold these most convenient that are here set down; and therefore do positively agree thereunto. By the appointment of his Excellency the Lord-General and his General Council of Officers. JOHN RUSHWORTH, Sec."

The Commons return Thanks to the Army for the foregoing Agreement.] The Petitioners being withdrawn, the commons ordered the Petition, but not the Agreement, to be read; the reason of which, as Mr. Whitlocke informs us, was on account of the great length of it; and the house then rising at 12 at noon, because the Commissioners for the King's Trial were to sit in the afternoon: notwithstanding which the commons ordered their Speaker to return their Thanks to the Petitioners; which he did accordingly.

Protestation of the Scots Commissioners against taking away the King's Life.] Jan. 22. The Commissioners from the Estates of the Parliament of Scotland, residing in London, having received no Answer to their Letter sent the 6th, to the Speaker of the house of commons, on occasion of the Act for erecting a High Court of Justice for the Trial of the King; they this day sent a second Letter in which was enclosed the following Protestation:

"By our Letter of the 6th instant, we represented unto you what endeavours have been used for taking away his majesty's life; for change of the fundamental government of this kingdom; and introducing a sinful and ungodly toleration in matters of Religion: and therein we did express our sad thoughts and great fears of the dangerous consequences that might follow thereupon; and, further, we did earnestly press, that there might be no proceeding against his majesty's person; which would certainly continue the great distractions of these kingdoms, and involve us in many evils, troubles, and confusions; but that, by the free councils of both houses of the parliament of England, with the advice and consent of the parliament of Scotland, such course might be taken in relation to him, as might be for the good and happiness of these kingdoms, both having an unquestionable and undeniable interest in his person as king of both; which, duly considered, we had reason to hope should have given a stop to all proceedings against his majesty's person.—But we understand that, after many of the members of the house of commons have been imprisoned and secluded; and also without and against the consent of the house of peers, power is given, by a single act of yours alone, to certain persons of your own number, of the Army, and others, to proceed against his majesty's person; in order whereunto he was brought, upon Saturday last in the afternoon, before this new extraordinary court: Therefore we do, in the name of the parliament of Scotland, for their vindication from false aspersions and calumnies, declare, That though they are not satisfied with his majesty's Concessions in the late Treaty at Newport, especially in the matters of Religion; and are resolved not to crave his majesty's restitution to his government, before Satisfaction be given by him to his kingdoms; yet they do all unanimously, with one voice (not one member excepted) disclaim the least knowledge of, or accession to, the late proceedings of the Army here against his majesty; and sincerely profess, that it will be a great grief unto their hearts, and lie heavy upon their spirits, if they shall see their trusting of his majesty's person to the honourable houses of the parliament of England, to be made use of to his ruin; so far contrary to the declared intentions of the kingdom of Scotland, and the solemn professions of the kingdom of England.—And to the end it may be manifest to the world, how much they abominate and detest so horrid a design against his majesty's person, we do, in the name of the parliament and kingdom of Scotland, hereby declare their Dissent from the said proceedings, and the taking away his majesty's Life; and protest, That as they are altogether free from the same, so they may be free from all the evils, miseries, confusions and calamities, that may follow thereupon to these distracted kingdoms. LOTHIAN. JO. CHIESLEY. WILL. GLENDINNING. Jan. 22."

The foregoing Paper &c. being read, the house ordered, That they should all be referred to a committee, who were to prepare an Answer thereto, and to consider of fit per-

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sons to be sent to the parliament of Scotland. These Papers were also presented to the Lord-General.

The High Court of Justice now sitting, in die ad diem, nothing passed in the house of commons worthy of notice; most of the days the house met, and did only adjourn to the next.

The Commons pass an Act for changing the Style of all public Proceedings.] Jan 27. This day an Act was passed for settling the Proceedings in the Courts of Justice; and that, in all writs, patents, commissions, indictments, process and proceedings in the several Courts of Justice, instead of the King's Name, used heretofore, the style should be changed into Authoritate Parliamenti Angliæ; and, instead of the Peace of the King, it should be the Public Peace. Also another Act, prohibiting Sheriffs, or any other officer or person soever, from presuming to proclaim any person as King, without the free consent of the people in parliament, signified by an act or ordinance for that purpose.

Ordered, "That the Clerk of the High Court of Justice be required forthwith to bring into this house the Record of the Judgment this day given against the King." Adjourned to Monday.

The Dutch Ambassadors make Application to both Houses, for sparing the King's Life.] Jan. 29. A Letter from the lord Joachimi and the lord Paw, Ambassadors of the States General of the United Provinces, directed to the Speaker, was read, with a Letter of Credence from the same. After which it was resolved that these Ambassadors should have audience in the house at 3 that afternoon; when, being admitted with much ceremony, the lord Paw* read out of a Paper, in French, the Desires of their masters, and then withdrew.—The same day, their Excellencies wrote a Letter to the earl of Denbigh, Speaker of the house of lords, desiring an immediate audience concerning a business very important to the good of the kingdom of England and the States General. Hereupon their lordships, in regard of the Ambassadors great importunity, (as it is termed in the Journals) ordered sir Oliver Fleming, Master of the Ceremonies, to introduce them: This being done accordingly, they delivered their Letters of Credence, and having spoke what they had in commission, were desired to withdraw into the lord-keeper's lodgings. After some debate they were re-admitted, and received the following evasive Answer from the Speaker, "That the lords in parliament had commanded him, in their names, to congratulate their Excellencies safe coming into England; and that their lordships do put a great esteem upon the ministers and ambassadors which come from that state, especially upon their Excellencies persons; and to assure them, that what they have or shall represent from that state, shall be respectfully received; and desired they would deliver what they now said, by word of mouth, in writing; that so their lordships may the better consider of it." And then they were conducted back by the master of the ceremonies. What these ambassadors were instructed to offer, is not entered in the Journals of either house: but it appears, by those of the commons, that their errand was to intercede with the parliament to spare the King's Life: for we are there told that, on the next day, a Report being made of what the Dutch Ambassadors had delivered, a committee was appointed to draw up Reasons, as the sense of the house, to be given to them, why the commons did not think fit to stay the Proceedings of the High Court of Justice.

THE BLOODY WARRANT.] The following is a copy of the Warrant given this day, for the Execution of the King:

At the High Court of Justice for the trying and judging of CHARLES STUART, King of England, January 29, Anno Dom. 1648.*

"Whereas Charles Stuart, King of England, is and standeth convicted, attaytned, and condemned, of High Treason, and other high Crimes, and Sentence upon Saturday last was pronounced against him by this Court, to be put to Death, by the severing of his Head from his Body, of which Sentence Execution yet remaineth to be done: these are therefore to will and require you to see the said Sentence executed in the open street before Whitehall, upon the morrow, being the Thirtieth Day of this instant month of January, between the hours of ten in the morning and five in the afternoon of the same day, with full effect. And for so doing this shall be your sufficient Warrant. And these are to require all Officers and Soldiers, and other the good people of this Nation of England, to be assisting unto you in this Service. Given under our Hands and Seals.

To Colonel Francis Hacker, Colonel Huncks, and Lieutenant-Colonel Phayre, and to every of them.

Jo. Bradshawe	Har. Waller
Tho. Grey	John Blackiston
O. Cromwell	J. Hutchinson
Edw. Whalley	Will. Goff†
M. Livesay	Pe. Temple
John Okey	J. Harrison
J. Danvers	J. Hewson
Jo. Bourchier	Hen. Smyth
H. Ireton	Per. Pelham
Tho. Mauleverer	Ri. Deane

* Lord Clarendon gives a very particular Account of the motives and other circumstances of this Embassy. History, vol. v. p. 241.

* From an Engraving of the Original, now in the custody of the House of Lords, and published by the Antiquarian Society, 1750.

† This Name is not legible in the Original. Several more of them are very difficult to read; probably by design.

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Robert Tichborne	Tho. Horton
J. Hammonde	J. Jones
Daniel Blagrave	John Penne
Owen Rowe	Gilbt. Millington
William Perfoy	G. Fleetwood
Ad. Scrope	T. Alured
James Temple	Robt. Lilburne
A. Garland	Will. Say
Edm. Ludlowe	Anth. Stapley
Henry Marten	Gre. Norton
Vincent Potter	Tho. Challoner
Wm. Constable	Tho. Wogan
Rich. Ingoldsby	John Venn
Will. Cawley	Gregory Clement
Jo. Barkstead	Jo. Downes
Isaac Ewer	Tho. Wayte
John Dixwell	Tho. Scott
Valentine Wauton	Jo. Carew
Simon Mayne	Miles Corbet.

His Majesty beheaded.] January 30. In the afternoon of this day, the fatal Blow being struck, the commons met again; when the first thing they went upon was to read a third time and pass, an Act for prohibiting the proclaiming of any Person to be King of England, Ireland, or the dominions thereof; which was ordered to be forthwith printed and published, and also to be immediately proclaimed, with Sound of Trumpet, in Cheapside, the Old Exchange, and Westminster; the lord-general Fairfax, or any other general officer of the Army, to take care to have the same done accordingly.

The Commons pass an Act against proclaiming any Person as King.] The house also ordered the common post to be stopped till Letters were prepared to be sent to the several Sheriffs in England and Wales, to publish and proclaim, in their different Counties and Districts, the said Act, which was in hæc verba:

"Whereas Charles Stuart, king of England, being, for the notorious treasons, tyrannies, and murders committed by him in the late unnatural and cruel wars, condemned to death; whereupon, after execution of the same, several pretences may be made, and title set on foot, unto the Kingly Office, to the apparent hazard of the public peace; for prevention thereof, be it enacted and ordained by this present parliament, and by the authority of the same, That no persons whatsoever do presume to proclaim, declare, publish, or any way promote Charles Stuart, (son of the said Charles) commonly called the Prince of Wales, or any other person, to be king or chief magistrate of England, or Ireland, or any the dominions belonging to them, or either of them, by colour of inheritance, succession, election, or any other claim whatsoever, without the free consent of the people in parliament first had, and signified by a particular act or ordinance for that purpose; any statute, law, usage, or custom, to the contrary hereof in anywise notwithstanding.—And it is hereby further enacted and ordained, That whosoever shall, contrary to this act, proclaim, declare, publish, or any way promote, the said Charles Stuart the son, or any other person, to be King, or Chief Magistrate, of England or Ireland, or any the dominions belonging to them, or either of them, without the said consent in parliament signified as aforesaid, he shall be deemed and adjudged a Traitor to the Commonwealth, and shall suffer pains of death, and such other punishments as belong to the crime of high treason. And all officers, as well civil as military, and all other well-affected persons, are hereby authorized and required forthwith to apprehend all such offenders, and to bring them in safe custody to the next justice of the peace, that they may be proceeded against accordingly."

The same day, the commons ordered their 3 Votes, passed on the 4th, declaring their own Supremacy, to be printed and published.

From the 18th to the 30th, the house of lords met, from day to day, but did nothing material, seldom more than 5 or 6 of them being present: and, as they had hitherto continued to act in their judicial capacity, they read a Petition or two on private affairs; and then ordered, That all the lords in town should be summoned, as well as all the judges, to attend their house on Thursday, Feb. 1, to which time they adjourned.

The Commons appoint a Committee concerning the late King's Body, Seals, Papers, &c.] Jan. 31. Commissary-general Ireton reported to the commons a Paper of divers Particulars touching the late King's Body, his George and Garter, his Diamond and two Seals. After debate, the question being separately put, Whether to send these things to Charles Stuart, (son to the late king) commonly called Prince of Wales? it was carried in the negative as to all of them. Then a committee was appointed, consisting of col. Harrison, sir John Danvers, sir Michael Livesey, Mr. Scot, lord Grey, Mr. Holland, Mr. Allen, Mr. Edwards, Mr. Oldsworth, Mr. Trenchard, Mr. Pine, Mr. Love, col. Fleetwood, or any 3 of them, to consider of the foregoing particulars concerning the King's Body; also to peruse the Papers of the late King, and to make report to the house what was fit to be done therein.—Ordered, also, That the lord Grey should have 100*l.* paid to him out of Haberdashers-Hall, to be disposed of for the service of the Commonwealth, *as he shall think fit.* This secret way of disposing of the public money, never observed in the Journals before, makes it seem very probable it was given as a gratuity to the Executioner that performed the bloody office on the king.

The Lords propose a Joint Committee, to consider of settling the Government.] Feb. 1. The house of lords met pursuant to adjournment; when it was moved to take into consideration the Settlement of the Government of England and Ireland, in this present conjuncture of affairs on the king's death. A committee of 9 lords were appointed to join with a proportionable number of commons, and the

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following Message was sent down to that house, "That the lords had thought fit to name a committee of 9 of their house, in this conjuncture of time, to join with a proportionable number of the commons, to meet the next morning in the lord-keeper's lodgings, if it may stand with their conveniency; and so, from time and place, to adjourn as they shall see fitting, to consider of the Settlement of the Government of England and Ireland; to desire the concurrence of the commons therein; and that they would give the like power to their commissioners, and afterwards report the results of their consultations to their respective houses." In this Committee appointed by the lords, there are only the names of the earls of Northumberland and Kent entered for that purpose: but a Memorandum is put in the margin, that the earls of Salisbury and Nottingham, and the lord Montague were named of it, though not present. However, the lords might have saved themselves all this trouble, as will appear very shortly.

The Commons resolve that such of their Members as voted for a Treaty with the King, be no more admitted.] The same day, one of the secluded members coming into the house of commons, they immediately made an Order, That all those who had concurred in the Vote of the 5th Dec. last, 'That the king's Con-'cessions were a Ground for settling the Peace 'of the nation,' should be disabled from sitting for the future; that such as then opposed the same, and were now present, should enter their Dissents; and that those who were absent should do the same previous to their being allowed to take their seats in that house. In consequence of this Order (which is erased out of the Original Journals, by the authority already mentioned) the following members, some days after, entered their Dissents, viz. col. John Bingham, Mr. E. Ashe, Mr. Armyn, Mr. Gould, Mr. Ashe, Mr. Thompson, sir Wm. Brereton, sir Wm. Masham; and were re-admitted into the house.

Feb. 2. The messengers the lords sent, the day before, to the commons, acquainted their lordships, That they went to that house and waited long, but were not admitted. On which the lords ordered, That they should go again, and desire that the committees of both houses might meet the next morning, at the same hour as before appointed.—The same day, the Speaker of the house of lords acquainted them, that he had received a Letter that morning from the earl of Northumberland, with a Paper inclosed of very great concernment; but, for the present the house ordered, That the Paper should be kept, *sub sigillo*, by the Speaker. It is probable this was to give the lords notice of their approaching Dissolution, for this day the commons resolved to take into consideration, and to debate, the Jurisdiction of the House of Lords; and that it should be the first business the next morning.

Petitions to the Commons in Approbation of their late Proceedings.] Feb. 3. Notwithstanding the former Order, the commons did not come to any resolution concerning the House of Lords this day; all that was done, was to read a Petition from the county of Hereford, as they had others, from different counties, the preceding days; which Petitions were in the nature of Addresses, on their new assumed power. On the presenting of one from Kent, the bearers of it told the house, vivâ voce, at the Bar, "That what it had pleased God had been done since the subscribing of their Petition, the petitioners could not take notice of in it; but that the petitioners resolved, in what the commons had lately acted, to stick to them with their lives and fortunes."—So many of these Petitions came up continually, that the commons appointed a committee to receive them, and report their contents to the house.

The Answer, given by the Lords, to the Dutch Ambassadors.] The same day the house of lords met; and first, ordered the earl of Denbigh, their Speaker that day, to go to the Ambassadors of the States of the General United Provinces, to congratulate their safe arrival, and to excuse the house for not sending sooner; for which the great alterations, that had lately happened in this kingdom, might afford a sufficient apology: to acquaint them also, That as to what was represented by them, in relation to his late majesty at their last audience, *God having since disposed of him*, it would now be unnecessary to give any further Answer than what may concern the continuance and increase of all fair correspondence between this kingdom and the States General.

The lords being informed that their Messengers to the house of commons were not yet admitted, expressed not the least resentment at this contempt; and only ordered them to go again this day, being Saturday, and desire the Committees, for settling the Government, might meet on the Monday next. But on that day, the lords still found there was no admittance, either for their messengers or their message; upon which it was once more ordered to send another message for a meeting the next morning; only the messengers were changed

The Commons abolish the House of Peers.] Feb. 6. The grand debate concerning the House of Peers was resumed in the commons; when the question being proposed, "That this house shall take the advice of the House of Peers, in the exercise of the legislative power, in pursuance of the Votes of the 4th Jan. last," it was carried in the negative by 44 against 29. Then it was resolved, without division, "That the House of Peers in Parliament is useless and dangerous, and ought to be abolished; and that an Act be brought in to that purpose:" the care of which, in a committee, was especially recommended to Mr. Whitlocke. The same committee were ordered to consider, how such persons, as have been committed by the House of Peers alone, may

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be discharged;* how the subjects may have liberty to proceed against the persons or estates of Peers, and their servants, for their just debts; and, how far the Peers may be made capable to elect, or be elected, as knights or burgesses; and also to review a former Ordinance of the house of commons for making the estates of their members liable to payment of their debts; to propound a remedy where it is defective; and to render it effectual as to them and their servants. It was ordered likewise, That the Committee to whom the care of the Records of the house of commons is committed, do take into consideration the securing and preserving those of the lords.

Whilst the commons were thus passing sentence against the lords, the latter were sitting in their own house; but did nothing more, after prayers, than dispose of a Rectory, and then adjourned to ten the next morning. But it proved an adjournment *ad longum diem*, for they never met again till the Restoration of Monarchy, once more, established the Peers of this realm in their antient seats and privileges.

The Commons pass an Act for the abolishing of Monarchy: And resolve to erect a Council of State.] Feb. 7. The commons, having crushed the House of Lords the day before, now fell upon the Office of Kingship, as it is styled in their Journals; and, after debate, it was resolved, "That it hath been found by experience, and this house doth declare, That the Office of a King, in this nation, and to have the power thereof in any single person, is unnecessary, burthensome, and dangerous to the liberty, safety, and public interest of the people of this nation; and therefore ought to be abolished." An Act was ordered to be brought in, to this purpose, by the same committee who were to bring in the other for taking away the House of Lords.—It was also ordered, "That there be a Council of State erected, to act and proceed according to such Instructions as shall be given to them by the House of Commons." A committee, consisting of Mr. John Lisle, Mr. Cornelius Holland, Mr. Tho. Scott, col. Edm. Ludlow, and Mr. Luke Robinson, were appointed to prepare and present to the house these Instructions for the Council of State; and likewise the Names of such persons as they conceived fit to be of this Council, not exceeding 40.†

Resolutions concerning the late King's Burial.] Feb. 8. The first thing the commons did this day, was to pass the following Resolutions

* Mr. Whitlocke writes, "That it was put upon him to draw up this Act for taking away the House of Lords; wherein he desired to have been excused, in regard he was not in the house when the Vote passed, and had declared his opinion against it; but he could not get excused." Memorials, p. 372.

† The able Writers of the Parliamentary or Constitutional History of England, conclude this period of their Work with the following Summary Review of the most remarkable Transactions of the last three months: "When the Commissioners appointed by parliament to attend the king in the Isle of Wight had made their final report of the Treaty, the house of lords unanimously resolved, on the 5th of Dec. 'That the King's Answers to the Propositions of Peace were a Ground for a future Settlement;' When the same question was proposed in the commons, there were present about 300 Members; and although many of these, by age and infirmities, being unable to bear the fatigue of attending the whole day and night through, left the house; yet above 200 staid to the end of the debate, when the commons passed the same Vote as the lords had done before, by a majority of above three to two. In consequence of this Vote for Peace, the next day, Dec. 6, 47 Members were seized on and imprisoned by a detachment from the Army; 96 more were personally denied entrance, by the same lawless power, the following days; and many others thereby frightened away. The house being thus garbled, there were no more than 78 Members present on the 7th Dec. when the question was carried for proceeding upon the Army's Proposals; and, of these, 28 voted for the negative, and came no more to the house. From that period, and during the whole process against the King, though there are many Divisions set down in the Journals, yet there is not an instance in which the number of Members present exceeded 53; and they were once so reduced, That the Speaker sent to col. Pride, to bring in one of the Imprisoned Members to make up a house, there not being 40 then present*. The Ordinance, passed by this Juncto, for bringing the King to a Trial, was unanimously rejected by the house of lords; and, in the List of those commoners who sat in judgment upon him, there is not the name of one single gentleman, who made any considerable figure in the beginning of this parliament. From these indisputable facts it appears, That those great and able members, who first engaged on behalf of the Liberties of the People against the Encroachments of the Prerogative, meant no more than to oblige the King to rule according to law; not to bring him to the scaffold: and that Monarchy and the Peerage were not destroyed, till the Liberties of Parliament had been first subverted by an Army of their own raising."

* This Circumstance (which is given upon the authority of Mercurius Pragmaticus, No. 39.) is confirmed by the following passage in lord Hollis's Speech to col. Axtell, when upon his Trial as a Regicide, Oct. 15, 1660: 'When both houses had 'resolved, That the King's Concessions were a sufficient Ground to proceed on for the Settlement of 'Peace, then did you fall upon the houses, and 'tear them in pieces; and, throwing out above 200, 'suffered only about 40 to remain; and these were 'glad to send for one member out of prison to 'make up a house.' State Trials, Vol ii. p. 377.

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touching the disposal of the late King's Body, viz.—Resolved, "That the house doth approve of Windsor for the place of the late King's Burial, and that he be carried there to-morrow for that purpose; also that the duke of Richmond, the marq. of Hertford, the earl of Lindsey, the earl of Southampton, and dr. Juxon, with three servants each, may attend the Funeral: That it be left to the duke of Richmond to take order for the place of the late King's Burial at Windsor, either in Henry the 8th's Chapel, or the choir there, as shall be thought fit; the circumstances and manner of the Interment to be wholly left to the said duke of Richmond; and a sum not exceeding 500*l.* to be allowed for the expences of the Funeral."

The Commons order the Great Seal to be broken, and a new one to be made.] The commons next proceeded to nominate a large Committee, who were ordered to inspect all the Commissions of the Peace in England and Wales, and give in the Names of fit persons to be trusted with new Commissions under their own Great Seal. This mark of sovereign authority, lately ordered to be made, was brought into the house, this day, by sir Tho. Widdrington and Mr. Whitlocke, two of the Commissioners for the late Great Seal, which was broken and defaced whilst the house was sitting, and the pieces thereof given to the said two Commissioners. Then, an Act was passed for authorizing and establishing the new Great Seal; as also another for making it high treason to counterfeit it; and it was committed to the custody of Mr. Whitlocke, Mr. Lisle, and Mr. serj. Keeble, who were to continue Lords Commissioners of the Great Seal, quamdiu bene se gesserint.*

Six of the Judges refuse to accept of new Commissions.] The Speaker, who had been ordered to demand of the Judges, whether they would accept of new commissions under the present powers, this day reported their Answers, "That baron Trevor, justice Bacon, justice Creskeld, baron Atkins, justice Brown, and justice Bedingfield, desired to be excused from accepting of new Commissions to be Judges; and that the two lord chief justices, (Rolle and St. John) the lord chief baron, (Wyld) justice Jermyn, justice Phesant, and baron Gates, were willing to accept of them; but desired the house to declare, That the Judges should proceed according to the laws and statutes of this kingdom." Hereupon, a Declaration was agreed to in hæc verba, "That the parliament of England do declare, That being fully resolved to maintain the Fundamental Laws of this nation, for the good of the people; and having appointed Judges for the administration of Justice, in execution thereof; they do expect that they should proceed accordingly."—This Declaration was ordered to be forthwith printed and published; and the name of the King's Bench was directed to be changed into that of the Upper Bench.

The Scots proclaim Prince Charles for their King.] Feb. 12. Letters came this day from Edinburgh, advising that Prince Charles was proclaimed King of Scotland by the whole parliament there, with great solemnity.

Instructions for the Council of State.] Feb. 13. Mr. Scott reported, from the Committee appointed to nominate a Council of State, the following Instructions for their direction; which were agreed to by the house:

I. "You are hereby authorized and required to oppose and suppress whomsoever shall endeavour to go about to set up or maintain the pretended title of Charles Stuart, eldest son to the late king, or any other of the said late king's issue, or claiming under him or them; or the pretended title or claim of any other single person whomsoever, to the crown of England or Ireland, dominion of Wales, or to any of the dominions or territories to them, or either of them, belonging. II. You are hereby authorized and impowered to order and direct all the Militias and Forces, both by sea and land, of England and Ireland, and the dominions to them, or either of them, belonging, for preserving the peace and safety thereof; and for preventing, resisting, and suppressing all tumults and insurrections that shall happen to rise in them, or either of them, or any invasions of them from abroad: and also, upon any emergencies, to raise and arm such forces as you shall judge necessary for the ends above expressed; and to give commissions, under the Seal of the Council, to such officers as you shall judge necessary for the leading, conducting, and commanding of the said forces; and for the prosecution and pursuance of these Instructions, or of any other Instructions you shall receive from the parliament. III. You are hereby authorized and required to use all good ways and means for the reducing of Ireland, the Isles of Jersey, Guernsey, Scilly, and the Isle of Man; and all other parts and places belonging to the Commonwealth of England, not yet reduced. IV. You shall take care that the Stores and Magazines of all military provisions, both for the land service and for the sea, be, from time to time, well and sufficiently furnished; and that the same be issued, as you shall, by warrant, direct: and you are also, from time to time, to take care of the repair of the Shipping belonging to the Commonwealth; and to build such others as you shall judge necessary for the defence and safety thereof. V. You are to use all good ways and means for the securing, advancement,

* Mr. Whitlocke remarks, That it was debated whether they should be simply styled Commissioners, or Lords Commissioners; the word Lords being less acceptable at this time than formerly: yet, that the house might not seem to lessen their own authority, nor the honour of the offices by them constituted, they voted the title to be Lords Commissioners, and the Act was passed accordingly. Memorials, p. 374.—A salary of 1000*l.* per Annum was also voted to each of them.

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and encouragement of the Trade of England and Ireland, and the dominions to them belonging; and to promote the good of all foreign plantations and factories belonging to this commonwealth, or any of the natives thereof. VI. You shall advise, order and direct concerning the entertaining, keeping, renewing, or settling of amity and a good correspondency with foreign kingdoms and states; and for preserving the rights of the people of this nation in foreign parts, and composing of their differences there; and you are hereby authorized to send ambassadors, agents, or messengers to any foreign kingdom or state; and to receive ambassadors, agents, or messengers, from them for the ends aforesaid. VII. You are to advise and consult of any thing concerning the good of this Commonwealth, and report your opinions concerning the same, as you find occasion, to the parliament. VIII. You are hereby authorized to send for any person or persons whatsoever, to advise with them, in pursuance of these or any other Instructions that shall be given unto you. IX. You have hereby power and are authorized to send for any records, writings, accounts, books, or papers that you shall think fit for your Information, in any cause, matter, or thing in agitation before you, in pursuance of these or any other Instructions that shall be given you by the parliament. X. You have power, and are authorized, in case of danger to the Commonwealth, to administer an oath to any person or persons for the discovery of the truth. XI. You are hereby authorized and impowered to send for and imprison, or otherwise to secure by taking bound in recognizance, any such person or persons as shall be offenders against these or any other Instructions which you shall receive from the parliament; and all such as shall contemn, or be refractory to any your commands, directions, or orders in pursuance of the said Instructions. XII. You have hereby power, and are authorized to charge the public revenue, by warrant under the Seal of the Council, with such sum and sums of money, from time to time, as you shall find necessary for defraying all charges of foreign negotiations, intelligence, and other incidencies; and for the salary of such subordinate officers and attendants as you shall judge fit to employ; and for the effectual carrying on of the service by these Instructions committed to you, or by any other Instructions hereafter to be given you from the parliament. XIII. You are also to observe and put in execution such further Orders as you shall receive from time to time from the parliament. XIV. The power hereby committed to this Council of State shall continue for the space of one year from the day of passing hereof, unless it be otherwise ordered by the parliament."

List of the Council of State.] Feb. 14. The house went upon the nomination of the persons to constitute their new Council of State; when the following lords and gentlemen were named: Basil, earl of Denbigh, Edmund, e. of Mulgrave, Philip, e. of Pembroke, W. e. of Salisbury, W. lord Grey of Warke, Henry Rolle, lord chief justice of the upper bench, Oliver St. John, lord chief justice of the common bench, John Wylde, lord chief baron of the court of Exchequer, John Bradshaw, serjeant at law, Thomas lord Fairfax, Thomas lord Grey of Groby, Oliver Cromwell, Philip Skippon, Henry Martin, Isaac Pennington, Sir Gilbert Pickering, Rowland Wilson, Anthony Stapeley, sir W. Masham, Wm. Heveningham, Bulstrode Whitlocke, sir A. Haselrig, sir James Harrington, Robert Wallop, John Hutchinson, sir H. Vane, jun. Dennis Bond, Philip lord Lisle, Alex. Popham, sir John D'Anvers, sir W. Armyn, Valentine Wauton, sir H. Mildmay, col. Perfoy, sir W. Constable, John Jones, John Lisle, col. Edm. Ludlow, Tho. Scott, Cornelius Holland, and Luke Robinson. In all 41.—It was likewise ordered, That 9, and not under, should constitute the said Council of State, to act according to Instructions. But a Question being proposed, That there should be a Lord President of this Council, it passed in the Negative, by 22 against 16.

Feb. 15. The house ordered that the Arms of the late King, over the Speaker's Chair, be forthwith taken down; and that an Act be brought in for taking away the same out of the several Courts of Westminster, and all other public places, and that the Arms of England be set up in their stead.

Feb. 17. The commons ordered that the Council of State should prepare two Seals, a greater and a less, for their use; each of them to have engraved thereon the Arms of England and Ireland, with this Inscription, 'The Seal of the Council of State, appointed by the Parliament of England.' Also, That Whitehall be prepared for this Council to meet in.

Feb. 20. The Council reported to the house, That it was their opinion the Ordinance for constituting the earl of Warwick lord high admiral of England, should be repealed. The house agreed to this, and ordered an act to be brought in for that purpose; and that the Council of State should have and execute all such power and authority, as any lord-admiral or Commissioners of the Admiralty have exercised.

A Remonstrance presented by the Scots Commissioners to the Parliament, against their late Proceedings.] Feb. 24. It has been already observed, that the parliament of Scotland had proclaimed Prince Charles for their king, and sent a deputation to inform him of it; and that the house had since published their Answer to the Scots Commissioners Letters, presented in Jan. last. This day those Commissioners sent another Paper, directed to the Speaker, which is not given us in the Journals. Mr. Whitlocke tells us, 'That the Speaker acquainted the house this day with a Letter the Scots Commissioners sent him, at their going away, which was without taking leave.' And adds, 'It was full of bitterness against the parliament

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and their late proceedings against the king, the house of lords, and the secluded Members.' —How highly the commons were affronted at this Remonstrance sufficiently appears from the following Declaration, passed on the 26th of this month; which they ordered to be forthwith printed and published.

"The parliament having received a Paper, dated Feb. 24, subscribed by the earl of Lothian, sir John Chiesley, and Mr. Glendinning, in the name of the kingdom of Scotland, and taking the same into their serious consideration: they do declare, That the said Paper doth contain much scandalous and reproachful matter against the just proceedings of this parliament; and an assuming on the behalf of that kingdom, to have a power over the laws and government of this nation, to the high dishonour thereof; and lastly, a design in the contrivers and subscribers of it, to raise sedition and lay the grounds of a new and bloody war in this land; that, under the specious pretences in that Paper contained, they may gain advantages to second their late perfidious invasion. And it is further declared, That all persons whatsoever, residing in England or Ireland, or the dominions thereof, that shall join with, or adhere unto, or voluntarily aid or assist, the said contrivers and Subscribers, or any whosoever of the kingdom of Scotland, in pursuance of the grounds by them laid in the same Paper, for raising sedition and a new and bloody war in this land, are rebels and traitors to the Commonwealth of England; and shall be proceeded against as traitors and rebels. H. Scobell, Cler. Par."

The Scots Commissioners ordered to be put under an Arrest.] Besides publishing this Declaration, the house ordered, That the Commissioners should have a guard set upon their lodging, to secure them from violence; and also to restrain them from communication with any by whom the sedition, contained in their Paper, might be promulged: and that none be suffered to have access to them, or to pass out from them, but for their supply with necessaries during their abode here. It was also ordered, That a message with a duplicate of the foregoing Remonstrance, be sent to the parliament and kingdom of Scotland, To know whether they do or will own and justify what hath been presented to this parliament in their names.

Feb. 28. In consequence of the above Orders, the commons were this day informed that the Scots Commissioners had been apprehended at Gravesend, as they were embarking on their return home, and were now under a guard: hereupon, it being put to the question, Whether to send them back to Scotland by land, so guarded? it passed in the affirmative.

March. The newly-erected Council of State having all the public business of the nation now before them, the house of commons, which constituted them, had little to do, except to confirm, by act, such proceedings as the other thought fit for that sanction: this council had also taken into their body great part of the house of commons. The High Court of Justice, now sitting on Trials, engaged still more; and by the expurgative test passed on the 1st of last month, denying admission to every member who would not enter his dissent or disapproval to the Vote of the 5th of Dec. last, many more were shut out that had gone great lengths with them before; so that, scarcely 50 members meeting in the house at this time, little business, except Petitions and other things of small moment, was done in this skeleton of a house of commons.

Interest of Money reduced.] March 12. The Interest of Money, which had been long at 8 per cent. was this day, by order of the house, reduced to 6, to take place from the 29th Sept. next.

Acts passed for abolishing of Monarchy, and the House of Peers.] March 17. The house had been employed a considerable time past, in framing and perfecting two Bills; the one called 'An Act for abolishing the Kingly Office in England and Ireland, and the Dominions thereunto belonging;' and the other 'For abolishing the House of Peers.' The first of these was read a third time this day, and passed without any division: the latter had the same sanction on the 19th. Both were ordered to be forthwith published, and proclaimed in Westminster, Cheapside, and the Old Exchange, by the lord mayor and sheriffs.

Declaration of the Commons stating their Reasons for establishing a Commonwealth.] March 21. The commons having, by these two Acts of their own house alone, abolished both Monarchy and the Peerage, they this day published the following Declaration: 2000 copies thereof were ordered to be printed for the use of the members, who were required to distribute them in their several counties; besides which, it was ordered to be translated into Latin, French, and Dutch.*

A DECLARATION of the Parliament of England, expressing the Grounds of their late Proceedings, and of settling the present Government in the way of a free State.

"The Parliament of England, elected by the people whom they represent, and by them trusted and authorized for the common good, having long contended against tyranny, and to procure the well-being of those whom they serve, and to remove oppression, arbitrary power, and all opposition to the peace and freedom of the nation, do humbly and thankfully acknowledge the Blessing of Almighty God upon their weak endeavours, and the hearty assistance of the well-affected in this work, whereby the enemies thereunto, both public and secret, are become unable, for the present, to hinder the perfecting thereof.—And, to prevent their power to revive tyranny, injustice, war, and all our former evils, the

* From the original Edition, printed by Edward Husbands, March 22, 1648.

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parliament have been necessitated to the late alterations in the government, and to that Settlement which they judge most conducible to the honour of God and the good of the nation, the only end and duty of all their labours. And that this may appear the more clearly and generally, to the satisfaction of all who are concerned in it, they have thought fit to declare and publish the Grounds of their Proceedings.—They suppose it will not be denied, That the first institution of the office of King in this nation was by Agreement of the People, who chose one to that office for the protection and good of them who chose him, and for their better government, according to such laws as they did consent unto. And let those who have observed our stories, recollect how very few have performed the trust of that office with righteousness, and due care of their subjects good: and how many have made it their study and labour, to satisfy their particular ambition and power, with high pressures and miseries upon their subjects; and with what horrid prodigality of Christian blood, upon punctilios of their own honour, personal titles and distastes: and in the whole line of them, how far the late king hath exceeded all his predecessors, in the destruction of those whom he was bound to preserve; and instead of spreading his protection to all, scarce permitting any to escape the violence of his fury.—To manifest this truth, it will not be improper to take a short view of some Passages in his reign, wherein he much further out-went all his forefathers in evil, than any example can be found of punishment. In the Dissolution of the Parliament in the 2nd year of his reign, and afterwards, he shewed an unnatural forgetfulness, to have the violent death of his father examined: the sad business of Rochelle, and the Isle of Rhee, the poor Protestants of France do yet lament: the Loans, unlawful Imprisonments, and other oppressions, which produced that excellent law of the Petition of Right, were most of them again acted, presently after the law made against them; which was most palpably broken by him, almost in every part of it, very soon after his solemn consent given unto it: his imprisoning and prosecution of members of parliament, for opposing his unlawful will; and of divers worthy merchants, for refusing to pay Tonnage and Poundage, because not granted by parliament, yet exacted by him expressly against law; and punishment of many good patriots, for not submitting to whatsoever he pleased to demand, though never so much in breach of the known law: the multitude of Projects and Monopolies established by him; his design and charge to bring in German Horse to awe us into slavery; and his hopes of compleating all by his grand project of Ship-Money, to subject every man's estate to whatsoever proportion he only pleased to impose upon them. The private solicitations, promises of reward, and threats, from him unto the Judges of the law, to cause them to do his will, rather than equal right, and to break his and their own oaths: the oppressions of the Council-Table, Star-Chamber, High-Commission, Court Martial; of Wardships, Purveyances, Knighthood, Afforestations, and many others of the like nature, need no large repetition, remaining yet in most of our memories.—The exact slavery forced upon those in Ireland, with the army of Papists to maintain it, and the position of being loose and absolved from all rules of government, was but a pattern for the intended model here. The long Intermission of our Parliaments, and the determination to be troubled with no more, and the great mistake in first sending the new Service-Book into Scotland, raised their opposition against him, and gave no encouragement to the English to engage against them; which, with the doubtfulness of success, produced the last short parliament, which was only considered as to serve the king's pleasure, to cloak his breach of the pacification with Scotland; and, with 12 Subsidies demanded by him, to buy out his unlawful and unjust exaction of Ship-Money; but failing in his expectation therein, he suddenly and wilfully, to the terror of most men, dissolved it.—The Scots, upon the king's breach of his faith with them, and perceiving the discontents amongst us, came with an Army into England: the king, by many unjust and unlawful means, raised and brought a great force into the North to oppose them; where, being moved by worthy Petitions from several parts, and by the honourable endeavours of many noble persons, but principally by perceiving the backwardness of his subjects of both kingdoms at that time to engage in the destruction of one another, for which end such numbers of gallant men were prepared by him, whose office was to be the preserver of them; and seeing no other way, he did at last condescend to do that part of his duty to call this parliament.—Vast sums of Money were required and raised of the people of England, to gratify those by whom they had been highly damnified; and both armies paid by them, who neither occasioned nor consented to the raising of either. But, above all, the English Army was laboured by the king to be engaged against the English parliament: a thing of that strange impiety and unnaturalness, for the king of England to solicit his subjects of England to sheath their swords in one another's bowels, that nothing can answer it but his own being born a foreigner; nor could it easily have purchased belief, but by his succeeding visible actions in full pursuance of the same.—The first execution of this design of misery fell upon our poor Brethren in Ireland, where so many scores of thousands of them were with such wonderful cruelty murdered, that scarce any bowels but are filled with compassion at it; and yet some of the murderers themselves have not forborne to affirm, That they had the king's commission for their actions.—His late and slender proclaiming of them Rebels; his consent to a Cessation when the Rebels gained all advantages, and

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the Protestants were destroyed by it; his intercepting and taking away provisions and supplies going unto them, are no good testimonies of his clearness from that blood which cried loud for vengeance.—But to return to England, where appeared matter enough of mourning. Upon the king's coming in person to the house of commons to seize the 5 members, whither he was followed with some hundreds of unworthy debauched persons, armed with swords and pistols, and other arms; and they attending at the door of the house, ready to execute whatsoever their leader should command them: and upon some other grounds, (whereby doubts being raised in the people, that their Grievances would not be redressed, they grew into some disorders) the king took occasion from thence to remove from London, where presently forces appeared for him of his own company at Kingston.—From thence he travelled to the North, endeavouring to raise forces there; enticed many members of both houses to desert the parliament, and trust reposed in them by their country, and to join with him in bringing destruction upon their Brethren and upon themselves. Instead of doing Justice, he protected Delinquents from it. At Nottingham he set up his standard; from Wales and the Marshes he got together a powerful Army, and gave the first onset of Battle at Edge-hill.—He possessed and fortified Oxford, his head-quarter, and many other towns and places of strength; and prosecuted a fierce and bloody war against the body of all his own subjects represented, and then sitting in parliament; a thing never before attempted by any king in this nation, and which all men have too sad cause with much grief to remember.—Their towns and habitations burnt and demolished; their pleasant seats wasted; their inheritances given away to those that were most active in doing mischief; their servants, brothers, friends, and children, murdered. Thus his own people, whom, by the duty of his office, he was bound to protect from all injury, were, by himself in person, pursued with fire and sword, imprisonments, tortures, death, and all the calamities of war and desolation.—Notwithstanding all this, and in the heat of it, many Addresses were made by the parliament unto the king for Peace; but in none of them could an Agreement be obtained from him, when the least word of his consent would have stopped that issue of blood and torrent of misery which himself had opened in all parts of his kingdom.—When the great God of Battle had determined very much in favour of the parliament, and the king's strength was almost fallen away, so that he thought it unsafe to trust himself any longer with his own forces, yet would he not then vouchsafe to come in unto the English, but rendered himself to his countrymen, the Scots; giving unto them the honour both of receiving him, and parting with him again, upon their own terms.—After his restraint yet further Addresses were made unto him by the parliaments of both kingdoms for Peace, with Propositions, not heightened by success; but these would not be granted, there being new and hopeful designs of his in hand, for bringing new miseries upon his people, which an Agreement upon those Propositions might easily have prevented. After this passed the Votes for no further Addresses to be made unto him.—The last Summer the effect of those designs, even whilst he was under restraint, began to break forth; a new vein of blood was opened in the king's name; a Plot laid (as the terms of their own boasting were) as deep as Hell; the Army divided into several bodies; the fire brake forth in many parts of the kingdom at once; and, for fear lest the numbers of their English should be too small, or their compassion to their countrymen too great, a malignant party in Scotland is easily invited hither: and although at first they understood the Covenant in that sense, and prosecuted the ends thereof, in joining with the parliament of England, and fighting against the king's party; yet now their judgments are rectified to prosecute the same ends by joining with the king's party, and fighting against their fellow-covenanters, the parliament of England. But God will not be mocked; and though this cloud of fresh calamities, both here and from the North, threatened the poor nation; and, in all human probability, was pouring utter ruin upon us, yet the visible hand of God, as many times formerly, so now mightily and miraculously, appeared for us; and led the Army, whom he was pleased to make his instruments, with that courage, wisdom, and fidelity, as amazed and subdued our enemies, and preserved under him, all that can be dear unto us.—During these distractions, and by what means is sufficiently known, and related more fully in a late Declaration, an eighth Address must be made unto the king, contrived by his party; the Votes of parliament to the contrary revoked, and Commissioners sent to the Isle of Wight; where, instead of yielding to their just Desires, whilst they were treating with him for Peace, even then was he plotting to raise a new war against them, and to draw more blood of his people: to this end his two elder sons were in hostility, and armed with power of granting commissions further to destroy the people committed to his charge.—Upon all these, and many other unparalleled offences; upon his breach of faith, of oaths and protestations; upon the cry of the blood of Ireland and of England; upon the tears of widows and orphans, and childless parents, and millions of persons undone by him, let all the world of indifferent men judge, whether the parliament had not sufficient cause to bring the king to justice.—But it was objected, and it was the late king's own assertion, 'That those in his high place are accountable for their actions to none but God, 'whose Anointed they are.' From whence it must follow, That all the men of this land were only made for the sake of that one man, the

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king, for him to do with them what he pleaseth; as if they had been all created for no other purpose but to satisfy the lusts, and to be a sacrifice to the perverse will, of a tyrant.—This will not easily be believed to be so ordained by God, who punisheth, but never establisheth, injustice and oppression; whom we find offended when the people demanded a king, but no expression of his displeasure at any time, because they had no king. Such an unaccountable officer were a strange monster to be permitted by mankind; but this doctrine is better understood by the present age, than in former times; and requireth the less to be said in confutation of it, being enough to confute itself.—For the phrase of 'Anointed,' no learned Divine will affirm it to be applicable to the kings of England, as to those of Judah and Israel, or more to a king than to every other magistrate or servant of God; or that the words, 'touch not mine Anointed,' were spoken of kings, but unto kings; who were reproved and enjoined to do no harm to the Prophets and Saints of God, there understood to be his Anointed.—Another Objection was, 'That to bring a king to trial 'and capital punishment is without Precedent.' So were the crimes of the late king: and certainly the Children of Israel had no known law or precedent to punish the Benjamites for their odious abuse of the Levite's wife, yet God owned the action. There want not precedents of some of his predecessors, who have been deposed by parliaments, but were afterwards, in darkness and in corners, basely murdered: this parliament held it more agreeable to honour and justice, to give the king a fair and open Trial, by above an hundred gentlemen, in the most public place of justice: free, if he had so pleased, to make his own defence; that part of his crime being then only objected against him, of which the parliaments of both his kingdoms had, by their joint Declaration, formerly declared him guilty.—With his offences were joined all along a strange obstinacy and implacableness, and incessant labour for the destruction of his people; which (with the unerring truth, wherein is no dispensation for kings,) 'that no Satisfaction shall be taken for 'the life of a murderer, but he shall surely be 'put to death: and that the land cannot be 'cleansed of the blood that is shed therein, 'but, by the blood of him that shed it)' brought on and effected the work of justice upon him.—The king being dead, the next consideration fell upon his Children; from these branches could be expected no other than the same bitter fruit which fell in the reign of the father, who had engaged them in his own ways and quarrel; and the two eldest so early appearing in actual arms and hostility against the parliament, no more safety or security could be hoped for from them than from their predecessor; nor, in human probability, as affairs then stood, any safe way for a sure Peace and prevention of future troubles, and to avoid a succession of misery, but by taking away the succession of that from whence it hath always risen, and would certainly spring again, if permitted to take new root, the designs and practices of kings, their flatterers and evil counsellors.—The Objection is obvious, 'of Injus-'tice to disinherit those who have a right and 'title to the crown.' Surely the elder right is the people's whom they claim to govern; if any right or title were in the eldest son, the same is forfeited by the father's act, in other cases; even of officers of inheritance, which being forfeited for breach of trust, (a condition annexed to every office) none will deny but that the same excludeth the children as well as the officer: but here the elder sons levied war against the parliament; and it cannot be alledged that the younger children were born to any thing. But the same power and authority which first erected a king, and made him a public officer for the common good, finding him perverted to the common calamity, it may justly be admitted, at the pleasure of those whose officer he is, whether they will continue that officer any longer, or change that government for a better; and, instead of restoring tyranny, to resolve into a free state.—Herein the parliament received encouragement, by their observation of the blessing of God upon other states: the Romans, after their Regifugium, for many hundred years together, prospered far more than under any of their kings or emperors: the State of Venice hath flourished for 1300 years: how much do the commons in Switzerland, and other free states, exceed those who are not so, in riches, freedom, peace, and all happiness? Our neighbours in the united provinces, since their change of government, have wonderfully increased in wealth, freedom, trade, and strength, both by sea and land.—In Commonwealths they find Justice duly administered, the great ones not able to oppress the poorer, and the poor sufficiently provided for; the seeds of civil war and dissention, by particular ambition, claims of succession, and the like, (wherein this nation hath been in many ages grievously employed) wholly removed; and a just freedom of their consciences, persons, and estates, enjoyed by all sorts of men.—On the other side, looking generally into the times of our monarchs, what injustice, oppression, and slavery were the common people kept under; some great lords scarce affording to some of their servants, tenants, or peasants, so good meat, or so much rest, as to their dogs and horses? it was long since warned in parliament, by a privy counsellor to the late king, That we should take heed, lest, by losing our parliaments, it would be with us as with the common people in a monarchy, where they are contented with canvas cloathing and wooden shoes, and look more like ghosts than men: this was intended for the fate of England, had our monarch prevailed over us. To bring this to pass, their beasts of forests must grow fat, by devouring the poor man's corn; for want of which, he and his wife and children must

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make many a hungry meal; A tradesman furnishing a great man with most part of his stock, or a creditor with money, and expecting due satisfaction and payment, is answered with ill words or blows; and the dear-bought learning that lords and kings servants are privileged from arrests and process of law. Thus many poor creditors and their families have perished by the injustice and prodigality of their lawless creditors.—A poor waterman with his boat or barge; a poor countryman with his team and horses, and others of other callings, must serve the king for the king's pay; which, if they can get, is not enough to find themselves bread, when their wives and children have nothing but the husband's labour to provide for them also. For that one exaction of the court called Purveyance, about which our ancestors made so many good and sharp laws, yet none of them could be kept; it hath been lately computed to cost the country more in one year than their assessments to the Army.—These are some of those generally observed, and more public Exactions, which were obvious, not to the understanding only, but to the sense of the many grieved sufferers; but if the vast expence of the Court, in ways of luxury and prodigality, be considered; as on the one side, by a standing ill ordered diet for a number of drones and unprofitable burdens of the earth; by chargeable feasts, and vain-glorious masques and plays, (their Sabbath-Days exercise or preparations) together with other (less sinful, but no less) chargeable provisions for Sports and Recreations, for which thousands of acres, scores of miles, and great parts of whole counties have been separated from a much better and public improvement.—On the other side, by those profuse donations of yearly Salaries and Pensions granted to such as were found, or might be made, fit instruments and promoters of tyranny, or else such as had relation to the king, in native or personal respects: in which latter kind may be shewed accounts of above 500,000*l.* per annum that was paid out of the Exchequer to Favourites of the Scots nation; besides the secret Supplies from the privy-purse and otherwise, best known to the receivers; which may perhaps be one reason why they are so zealous to uphold the kingly power in this nation, whereof the king was their countryman.—He that observes so many hundreds of thousands, *communibus annis*, expended in those ways; and shall know that the legal justifiable revenue of the crown (besides the Customs and some other perquisites charged with the maintenance of the Navy and Forts) fell short of 100,000*l.* might justly wonder what secret under-ground Supplies fed those streams of vanity and mischief, were it not as notorious, that the Projects, Monopolies, Sales of Offices, Bribes, Compositions for Breach of Penal Laws, and the like ways of draining the people's purses as wickedly got, so were only fit thus to be employed. By occasion whereof the court arrived at that unhappy height, as to be the great nursery of luxury and intemperance; the corrupter of the manners and dispositions of many otherwise hopeful branches, sprung from the noblest families; and an universal perverter of religion and goodness therein, making good the proverb *Exeat aulâ qui vult esse pius.*—In a free state, these, and a multitude of the like Grievances and Mischiefs will be prevented; the situation and advantages of this land, both for trade abroad, and manufactures at home, will be better understood, when the dangers of projects, monopolies, and obstructions thereof, are, together with the court, the fountain of them, removed; and a free trade, with encouragement of manufactures, and provision for the poor, be settled by the commonwealth, whereunto the same is most agreeable, and which the former government had never yet leisure effectually to do.—Upon all these before-mentioned, and many other, weighty considerations, the representatives of the people, now assembled in parliament, have judged it necessary to change the government of this nation from the former Monarchy (unto which, by many injurious incroachments, it had arrived) into a Republic, and not to have any more a king to tyrannize over them.—In order hereunto, and for the better Settlement of this Commonwealth, it being found of great inconvenience, that the house of lords (sitting in a body by themselves, and called by writ to treat and advise, yet) in the making of laws, and other great affairs, should any longer exercise a negative vote over the people, whom they did not at all represent; and likewise a judicial power over the persons and estates of all the commons, whereof they are not competent judges; and that their power and greatness did chiefly depend upon the power and absoluteness of a king, whereunto they had lately expressed a sufficient inclination: and it being most evident, that (especially in these times of exigency) neither the government of the Republic, nor the common safety, could bear the delays and negatives of a house of lords; it was therefore thought necessary, wholly to abolish and take the same away: Leaving, nevertheless, unto those lords who have been and shall be, faithful to the Commonwealth, the same privilege of choosing, and being chosen, representatives of the people, as other persons of interest, and good affections to the public have right unto; and which is not improbable to have been the way of our ancestors, when both lords and commons formerly sat together.—But an objection is frequently made, concerning the Declaration of the houses, of April, 1646, 'For governing the kingdom, by king 'lords, and commons, and other Declarations 'for making him a great and happy prince.' This was then fully their intent, being at that time confident, that the king's ill counsel once removed from him, he would have conformed himself to the Desires of his people in parliament; and the peers who remained with the parliament, would have been a great cause of his so doing; but finding, after seven fruitless

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Addresses made unto him, that he yet both lived and died in the obstinate maintenance of his usurped tyranny, and refused to accept of what the parliament had declared; and to the upholding of this tyranny, the lords were all obliged, in regard of their own interest in Peerage; whereby they assumed to themselves an exorbitant power of exemption from paying of their just debts, and answering suits in law, besides an hereditary judicatory over the people, tending to their slavery and oppression, the commons were constrained to change their former Resolutions, finding themselves thus frustrated in their hopes and intentions so declared: which change being for the good of the Commonwealth, no commoner of England can justly repine at; neither could the king or lords take any advantage thereof, because they never consented thereto; and where no contract is made, there none can be said to be broken: and no contract is truly made, but where there is a stipulation on both sides, and one thing to be rendered for another; which not being in this case, but refused, the commons were no ways tied to maintain that Declaration, to the performance of which, they were not bound by any compact or acceptance of the other part; and to the alteration whereof so many reasons for the preservation of the people's liberties did so necessarily and fully oblige them.—Another objection is, 'That these great matters ought, if at all, to be determined in a 'full house, and not when many members of 'parliament are by force excluded; and the 'privilege so highly broken, that those who are 'permitted to sit in parliament do but act 'under a force, and upon their good behaviour.' To this it is answered, That every parliament ought to act upon their good behaviour, and few have acted, but some kind of force hath at one time or other been upon them; and most of them under the force of tyrannical will and fear of ruin by displeasure thereof; some under the force of several factions or titles to the crown; yet the laws made, even by such parliaments, have continued, and been received and beneficial to succeeding ages. All which, and whatsoever hath been done by this parliament, since some of their members deserted them, and the late king raised forces against them, and several disorders and affronts formerly offered to them, if this objection take place, are wholly vacated.—For any breach of Privilege of Parliament; it will not be charged upon the remaining part, or to have been within their power of prevention or reparation; or that they have not enjoyed the freedom of their own persons and Votes, and are undoubtedly, by the law of parliaments, far exceeding that number which makes a house, authorized for the dispatch of any business whatsoever: and that which at present is called a force upon them, is some of their best friends, called and appointed by the parliament for their safety, and for the guard of them against their enemies; who, by this means, being disappointed of their hopes to destroy the parliament, would nevertheless scandalize their actions, as done under a force; who, in truth, are no other than their own guards of their own Army, by themselves appointed: and when it fell into consideration, Whether the privilege of parliament, or the safety of the kingdom, should be preferred, it is not hard to judge which ought to sway the balance; and that the parliament should pass by the Breach of Privilege (as had been formerly often done upon much smaller grounds) rather than by a sullen declining their duty and trust, to resign up all to the apparent hazard of ruin and confusion to the nation.—There remains yet this last and weighty Objection to be fully answered, 'That the Courts of Justice, 'and the good old laws and customs of Eng'land, (the badges of our freedom, the benefit 'whereof our ancestors enjoyed long before the 'conquest, and spent much of their blood to 'have confirmed by the Great Charter of the 'Liberties; and other excellent laws which 'have continued in all former changes; and, 'being duly executed, are the most just, free, 'and equal of any other laws in the world) 'will, by the present alteration of government, 'be taken away, and lost to us and our pos'terities.' To this, they hope, some satisfaction is already given by the Shorter Declaration lately published; and by the real demonstrations to the contrary of this objection, by the earnest care of the parliament, That the Courts of Justice at Westminster should be supplied the last term, and all the circuits of England this vacation, with learned and worthy judges; that the known laws of the land, and the administration of them, might appear to be continued. They are very sensible of the excellency and equality of the laws of England being duly executed; of their great antiquity, even from before the time of the Norman slavery forced upon us; of the liberty and property, and peace of the subject, so fully preserved by them; and (which falls out happily, and as an increase of God's mercy to us) of the clear consistency of them with the present government of a Republic, upon some easy alterations of form only, leaving intire the substance: the name of King being used in them for form only, but no power of personal administration or judgment allowed to him in the smallest matter contended for. They know their own authority to be by the law, to which the people have assented; and besides their particular interests, which are not inconsiderable, they more intend the common interest of those whom they serve, and clearly understand the same, not possible to be preserved without the laws and government of the nation; and that if those should be taken away, all industry must cease; all misery, blood, and confusion would follow; and greater calamities, if possible, than fell upon us by the late king's misgovernment, would certainly involve all persons, under which they must inevitably perish.—These Arguments are sufficient to persuade all men to be well contented to submit their lives

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and fortunes to those just and long approved rules of law, with which they are already so fully acquainted; and not to believe that the parliament intends the abrogation of them, but to continue and maintain the laws and government of the nation, with the present alterations, and with such further alterations as the parliament shall judge fit to be made, for the due reformation thereof; for the taking away of corruptions and abuses, delays, vexations, unnecessary travel and expences, and whatsoever shall be found really burthensome and grievous to the people.—The Sum of all the parliament's design and endeavour in the present change of government, from tyranny to a free state, and which they intend not only to declare in words, but really and speedily endeavour to bring to effect, is this: To prevent a new war and further expence and effusion of the treasure and blood of England, and to establish a firm and safe Peace, and an oblivion of all rancor and ill-will occasioned by the late troubles; to provide for the due Worship of God, according to his Word, the advancement of the true Protestant Religion, and for the liberal and certain maintenance of godly Ministers; to procure a just Liberty for the consciences, persons, and estates, of all men, conformable to God's glory and their own peace; to endeavour vigorously the punishment of the cruel murderers in Ireland, and the restoring of the honest protestants, and this Commonwealth, to their Rights there, and the full satisfaction of all Engagements for this work; to provide for the settling and just observing of treaties and alliances with foreign princes and states, for the encouragement of manufactures, for the increase and flourishing of trades at home, and the maintenance of the poor in all places of the land; to take care for the due reformation and administration of the law and public justice, that the evil may be punished, and the good rewarded; to order the Revenue in such a way, that the public charges may be defrayed, the Soldiers Pay justly and duly settled, that Free-quarter may be wholly taken away, the people be eased in their burdens and taxes, and the debts of the Commonwealth be justly satisfied; to remove all grievances and oppressions of the people, and to establish peace and righteousness in the land.—These being their only Ends, they cannot doubt of, and humbly pray to the Almighty power for, his assistance and blessing upon their mean endeavours; wherein as they have not envied or intermeddled, nor do intend at all to intermeddle, with the affairs of government of any other kingdom or state, or to give any offence or just provocation to their neighbours, with whom they desire intirely to preserve all fair correspondence and amity, if they please: and confine themselves to the proper work, the managing of the affairs, and ordering the government of this Commonwealth, and matters in order thereunto, with which they are intrusted and authorized by the consent of all the people thereof, whose Representatives, by election, they are; so they do presume upon the like fair and equal dealing from abroad; and that they, who are not concerned, will not interpose in the affairs of England, who doth not interpose in theirs: and in case of any injury, they doubt not but, by the courage and power of the English nation, and the good blessing of God, (who hath hitherto miraculously owned the justness of their cause, and, they hope, will continue to do the same) they shall be sufficiently enabled to make their full defence, and to maintain their own rights.—And they do expect from all true-hearted Englishmen, not only a forbearance of any public or secret plots or endeavours, in opposition to the present Settlement, and thereby to kindle new flames of war and misery amongst us, whereof themselves must have a share; but a chearful concurrence and acting for the establishment of the great work now in hand, in such a way, that the name of God may be honoured, the true Protestant Religion advanced, and the people of this land enjoy the blessings of peace, freedom and justice to them and their posterities."

March 23. The commons, in order to establish their new Commonwealth the more effectually, resolved upon the Disposal of the Personal Estates of the late King, Queen, and Prince; which they, this day, made an Order to have inventoried, appraised, and sold, except such Parcels of them as should be thought fit to be reserved for the use of the State; but with this proviso, That no member of the house should have any concern therein.

A Land Tax laid upon the Kingdom for 6 Months.] March 24. The commons having resolved that 120,000*l.* per mensem be provided for 6 months for maintaining the Forces in England and Ireland, to the end Free-quarter might be taken off; and that, towards raising this sum, a tax of 90,000*l.* per mensem for 6 months, be levied upon Lands and Goods; and having appointed a Committee to consider of an equal rule for laying such Assessment, a report was this day made, from the Committee for the Army, of the Rates and Proportions for each county as agreed on by them; which was referred to a committee of the whole house, and the next month passed into an Act.—This being the first instance of a Tax laid upon the subjects of England, by authority of the commons only, the Speaker was ordered to write a circular Letter to the Commissioners appointed in every county for raising the same.

Pontefract Castle surrendered to the Parliament.] March 27. A Letter was received from major gen. Lambert, with the Articles of Agreement for the Rendition of Pontefract Castle; which being read, were approved of by the house. Also a Petition from the mayor, aldermen, and all the well-affected inhabitants of the town of Pontefract, was read; after which it was resolved, That the Castle of Pontefract should be totally and forthwith demolished; that it be referred to the Committee

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of the West-Riding of York, to take care to see this Castle demolished, and levelled with the ground.

The Clergy prohibited from meddling with Affairs of State.] March 28. While the king's Trial was depending before the High Court of Justice, the Presbyterian Ministers of many parishes in London and the adjacent counties to the number of above 60, published a Protestation, declaring themselves wholly unsatisfied with the proceedings since the Exclusion and Imprisonment of the Members of the house of commons; that they held themselves bound in duty to God, religion, the king, parliament, and kingdom, to profess before God, angels, and men, That they verily believed the taking away the Life of the king, in the way of Trial, was not only not agreeable to the Word of God, the principles of the Protestant Religion, (never yet stained with the least drop of the blood of a king) or the fundamental constitution of the kingdom; but contrary to them, as also to the Oath of Allegiance, the Protestation of May 4, 1641, and the Solemn League and Covenant. And many of them, after the King was beheaded, prayed publicly for the Prince of Wales, as king, by the name of Charles II. particularly one Mr. Cawton, who had the courage to do so before the lord mayor, for which he was ordered to be prosecuted in the Upper Bench, for high treason. The commons, in order to prevent such a defiance of their authority for the future, this day appointed a Committee to bring in an Act, forbidding Ministers in their pulpits, in preaching or praying, to meddle with matters of government, or the transactions of State; and likewise prohibiting to hold correspondence or intelligence with foreign states, under a penalty; and only to apply themselves to their duty in preaching Jesus Christ and his Gospel, to the edifying of their Congregations.

Cromwell goes to Ireland as Commander in Chief.] March 30. Affairs in Ireland growing still worse, the Council of State thought fit to nominate lieut. general Cromwell to go Commander in Chief into that kingdom, which the house agreed to. Commissary-general Ireton, his son-in-law, was also appointed next in command under him: but at the same time, as a compliment to lord Fairfax, they resolved to continue his lordship General of all the Forces of the parliament, both in England and Ireland.

The Lord Mayor refuses to proclaim the Act for abolishing Monarchy.] Complaint having been made, That the lord mayor of London had not proclaimed the late Act for abolishing the Kingly Office, he was ordered to be summoned to appear at the bar, on Monday, April 2, to answer his contempt therein. On which day the lord mayor being called in, and set to the bar, the Speaker told him, The house had heretofore sent an Order to him, and a writ, to proclaim an Act for abolishing the Kingly Office in England and Ireland, and the dominions thereunto belonging; and he was now sent for to answer his Contempt in not doing it. The lord mayor answered, He did receive such an Order, but that his conscience being charged, as it was, with several Oaths at and before his mayoralty, he could not dispense with it in proclaiming that Act, and therefore had not done it. Being ordered to withdraw, and the house having considered of his sentence, he was called in again, when the Speaker told him, That it was their judgment he be discharged from the office of lord mayor, and be disabled from bearing that office; be fined 2000*l.* to be paid presently; and that he be committed prisoner to the Tower for a month. The City was also ordered to proceed forthwith to another election. The name of this conscientious lord mayor was Abraham Reynoldson. The very next day, when the house was informed another lord mayor was elected, they thought fit to alter the form of the Oath of this officer, from swearing to be true and faithful to the King, to be so to the Commonwealth, &c. And, the same day, alderman Andrews, being presented to the house as the new lord mayor elect, was confirmed in that office, and ordered to have the above Oath administered to him. Next, the house proceeded to reform the Bench of Aldermen in the City, and voted, That sir John Gayer, Tho. Adams, John Langham, James Bunce, with Abraham Reynoldson, aldermen, should be disabled and discharged from bearing that office; and that the city do proceed to elect others in their stead.

Lilbourne and others committed to the Tower, for writing a Pamphlet against the New Republic.] April 18. The Council of State having got intimation of the Authors, Printers, &c. of a Pamphlet called 'England's Second Chains, &c.' had imprisoned in the Tower for it, lieut. col. Lilbourne, Mr. Walwyn, Mr. Prince, and Mr. Overton.

A Petition in their Favour signed by 10,000 *Persons.*] This day the following Petition, subscribed by 10,000 hands, was presented to the house, intitled, 'The humble Petition of divers well-affected Persons in the Cities of London and Westminster, the Borough of Southwark, Hamlets and parts adjacent,' in behalf of the aforesaid Prisoners.

"The more we consider the state and condition of our four Friends, the more we are perplexed in our thoughts with the Fear of great danger intended towards them: for though nothing hath been pretended to be done by them contrary to any law made before the fact whereof they are suspected, nor any thing done by them after you had published your Declaration concerning the same; yet your Votes and Declaration, the hostile seizure by the Council of State, and their Examinations apart upon questions against themselves, no accuser appearing face to face, no friends allowed to be present, and thereupon committed prisoners to the Tower, do all in a great measure, forejudge them as really guilty of high treason.—All which proceedings being directly contrary to Magna Charta, the Petition of Right, and to

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your own Declarations of the 8th Feb. and 17th March last; we are inforced to believe that some eminent persons, whose particular interests our said Friends may have opposed, have surprized this honourable house; and transported you into some causeless fears of danger from those our Friends, whose constant care and watchfulness for the Settlement of this long-wasted Commonwealth, and prevention of misery and bloodshed, hath been so evident by their frequent Motions and Petitions to those just ends; especially by that which was burnt by the common hangman, that of Sept. 11, 1648, and their 'Agreement of the People;' wherein are comprised such clear fundamentals of just government, redress of Grievances, and conducements to general peace and reconcilement, as, had their advice in any reasonable time been taken, we are verily persuaded, much of that rancour, bitterness, and bloodshed which hath befallen, had been prevented. And which, in our apprehensions, are sufficient evidences against all suspicions of treasonable practices, or intentions in them; and may also acquit them of that aspersion of unsettledness cast upon them; and which we wonder did not invite a more respectful carriage towards them, than to fetch them out of their beds and houses by so formidable parties of horse and foot.—And truly, if we may have leave to speak our hearts in behalf of these our Friends, who for many years have neither spared their estates nor time, but frequently hazarded their lives in our behalf, and for the safety and freedom of parliament and people; we are persuaded in our consciences the greatest crime, or rather cause, for which they are thus molested, is, That they have incessantly endeavoured to induce the Army to the real performance of those many good things they engaged for, and largely promised to this nation, in their many Declarations, &c. when first they disputed and opposed the Orders of parliament: and for that they have endeavonred to confine the interest of the Army to the just interest of the people, and to reduce the military power to a real subordination to the civil authority. For which their endeavours, we verily believe, they are hated by some eminent persons of the Army; whose frequent distinct actings according to their own immediate wills, towards this honourable house, in casting out members without any charge brought against them, leaving or taking in only whom they pleased, and so in the Army; and by their prevalency against some particular persons, hath made them presume, and, we fear, resolve, to sacrifice the blood and lives of these our dear friends, for standing betwixt their absolute domination and the freedom of the people.—And that this may not appear to be a groundless supposition, be pleased to take notice that our said Friends have been long aspersed by them as Levellers, Atheists, Jesuits, &c. upon what ground and to what end we know not, except to prepare them to destruction; threatening, 'That if they once caught hold of them, they should not escape out of their hands, as they had done out of the hands of Hollis and Stapylton; that they have deserved more to be fought against than the most desperate enemy:' plotting and contriving, in their General Council of Officers, to get a law 'To have power to hang, or otherwise put to death, as they saw cause; and that because the civil magistrate could not dispatch them fast enough.'—In all which their threats and contrivances, there are many circumstances to prove that they principally aimed at those our Friends: and so, when neither by threats or promises they could prevail with them to desist from preserving the freedom of the nation, and discovery of their designs, (as was done in their 'Serious Apprehensions,' presented to this house the 26th Feb. last) having absolute power in the house, where, contrary to the Self-denying Ordinance, they take up many places, which, with an Army at command, is more than all the rest; and having got enew of themselves into their Council of State, (contrary to their own positive consent in the 'Agreement of the People') they catch at an opportunity, and fall upon our Friends with such a face of force and terror as would have made the world believe, whatever cruelty had succeeded, there had been a cause answerable to that force.—The like having not been known, that persons so visible and responsible should (to the terror of their wives, children, families, and neighbours) in the break of the day, be fetched out of their beds, forced out of their houses, and carried away as prisoners of war; and, after a day's restraint in the garrison at Whitehall, carried before the Council of State; and there, after Examination of them against themselves (no accusers appearing face to face, or friends allowed to be present) were, about 12 at night committed prisoners to the Tower, upon suspicion of High Treason. In the debates whereupon, as we are credibly informed, lieut. gen. Cromwell declared in the Council, 'That they must break this party in pieces,' (meaning our Friends) 'or they would break them: that, 'if they did not do it, they would render themselves the most silly, low-spirited men in the 'world, to be routed by so contemptible and 'despicable a generation of men.'—And immediately after was published your Declaration, which, reflecting upon them as 'Persons 'seditious, destructive to the present government, mutineers, hinderers of the Relief of 'Ireland, and continuers of Free-quarter,' hath (with the rest before-mentioned) so forespoken them, that, wheresoever they come to trial, they are likely to fall under abundance of prejudice; besides the influence those eminent persons (who now visibly appear their particular adversaries) have upon all persons in office, and upon the present forces in being. Insomuch as, all things duly weighed, they are, in truth, really fore-judged and condemned: for what judge and jury may not, unawares, be captivated by so many pre-occupations, and

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pre-possessions, or not be terrified to do what so forcible and powerful influences so strongly incline, if not enforce them unto?—Besides, your Order for their Trial requires the Attorney-General to take speedy course for prosecution of them; which is a disadvantage we hoped these times would have been free from, as holding too much resemblance with those foregone; that sought, by craft and sophistry, to entrap and enslave plain men in their trials for life, estate, or liberty, to the wills of princes: the said Attorney being a member of your house, and consequently a judge of the judge before whom he pleads; and, in opposition to our Friends, represenieth no less than the Supreme Authority; a most unequal prosecutor, and against whom they have no plea or relief, as, by law, they have against others.—Upon all which considerations, we cannot discern it to be equal in itself, or safe for them, that they should through so many prejudices and preoccupations, be by you put upon their trial in the Upper Bench: so that however plausible it may seem in itself for you to put them upon this kind of trial, yet all things considered, nothing more evidently tendeth to their destruction: nor can we discern how it can be just to try men upon a Declaration made after the fact pretended; nor can we judge it reasonable that so many members of the Army, their professed adversaries, should, contrary to the Self-denying Ordinance and common equity itself, sit as Judges in this honourable house, or in the Council of State, whilst this cause is debated; they having in effect been charged by those our Friends, in their 'Serious Apprehensions' to this house; and this proceeding towards them appearing but as a revengeful recrimination. And therefore if, after mature consideration of the premises, you shall judge them worthy of further prosecution as for our parts we verily believe there is no cause, we earnestly intreat that you will first make strict inquiry into the cause of that terror and force of soldiers used towards them, contrary to law; repair their credit; give them the benefit of law against whomsoever shall appear to have been authors or actors therein; and enlarge them from their present imprisonment in the Tower.—And then, if any person hath wherewith to accuse them, that they be proceeded against, as by law they ought, by warrants from a justice of the peace of the neighbourhood, where the fact in question was pretended to be committed; not granted without oath made of a crime against some law in being before the fact; and to be served by constables not soldiers, and that upon appearance of the accusers and accused face to face, as by law is due; and if the fact be bailable, then to be allowed bail; if not, to be secured in that legal prison appointed for that place and fact, until the next sessions, not in a prerogative prison as the Tower is; and then, in an ordinary way, exempt from all such preoccupations and fore-judgings, to have the benefit of a Trial by a Jury of 12 sworn men in the neighbourhood, not over-awed by soldiers, nor disturbed by policy or sophistry. A trial which, we conceive, cannot in justice, in any circumstance, be denied to the worst of thieves, murderers and traitors; and which was our real intentions in our late Petition presented to you concerning them. And we are confident our Friends, upon such a trial, will prove themselves to be no such persons, but faithful friends to their country's liberties.—We also intreat that, for the future, no person may be censured, condemned, or molested, concerning life, limb, liberty, or estate, but for the breach of some law first made and published; and that this hon. house would be a pattern to all future parliaments, in leaving the trial of all such causes to subordinate magistrates, and ordinary proper courts of justice: That the Execution of Civil Affairs may be wholly freed from the interposition of the sword, and that martial law, during the time of peace, where all courts are open, may not be exercised upon the persons of any whomsoever. All which are not more evidently just in themselves, than they are consonant to Magna Charta and the Petition of Right; the benefit whereof, we trust, you will never be induced to take from us: That capt. Bray, now close prisoner in Windsor Castle,* may immediately be enlarged, or otherwise be put upon a legal trial, as is before desired in behalf of our other friends.—Lastly, we intreat that there may be some general encouragement from you, to proceed to a speedy Settlement, by way of an 'Agreement of the People,' upon the grounds of an equal and just government; that so all discord, enmity and dissatisfaction amongst former friends, may finally receive a speedy end, by and with this parliament; and that the end of this may be the beginning of a new and equal representative."

The foregoing Petition, being read, gave so high offence to the house, that they resolved, That the petitioners should have a sharp reprehension for it. A Committee was also appointed to withdraw immediately, and prepare an Answer to be given to the petitioners by the Speaker; which, upon their being called in, he delivered to them in the following terms:

"Gentlemen; The house hath read your Petition; and, lest I should mistake as you have done, hath commanded me to give you this Answer; That the 4 Persons in your Petition principally concerned are, upon just and mature consideration, appointed to be brought unto a legal trial for crimes against law preceding the fact, and not after, as suggested; at which trial they will have free liberty to offer whatsoever they shall have to say in their own defence: and to such proceedings the parliament do expect that all persons in England should submit, and in the judgment of

* He was committed for publishing a Pamphlet against the proceedings of lord Fairfax and his Council of War.

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parliament acquiesce. That the Contrivers of this Petition have therein taken a liberty of scandalous and seditious suggestions, not allowable nor justifiable in any persons whatsoever, under pretence of Petitioning; and do so far countenance the imprisoned persons, in the offences for which they are questioned, as might render them justly suspected of the like crimes. But the parliament will yet exercise patience towards you, conceiving that divers well-meaning men may, by false yet specious pretences, be deluded into this miscarriage; and hoping that, by this forbearance, such may come to see their own errors."

This Answer was ordered to be printed and published; but it was of very little use, for when the men durst not any more petition in behalf of Lilbourne and his associates, the Women took it up; and presented one to the house in terms, as Mr. Whitlocke writes, 'almost scolding.' To which they ordered the following Answer to be given them by their serjeant at arms: "That the matter they petitioned about was of an higher concernment than they understood; that the house had given an Answer to their Husbands; and therefore desired them to go home and look after their own Business, and meddle with their Housewifery."

Three Peers elected Members of the House of Commons.] The earl of Pembroke, having so far waved his Peerage as to be chosen and returned knight of the shire for Berks, took his seat in the house; and was this day appointed by them one of the Commissioners of the Navy. Soon after the lord Howard of Eskricke got himself returned for Carlisle, and was admitted to sit as a commoner in the house. Wm. earl of Salisbury did the same for Lynn. These three lords were all of the whole Peerage that, so far, bowed their knees to this Commonwealth. And the commons, to compliment their coming amongst them, voted, That they should sit in all the committees of which they were members at the time when the house of lords was dissolved.

The Commons vote 3000l. per ann. for the Maintenance of two of the late King's Children.] April 25. The house heard a report from the Council of State, concerning a Letter received from the earl of Northumberland, about some Maintenance for the late King's Children. After which 3000*l.* per ann. was ordered to be settled upon the duke of Gloucester and the lady Elizabeth; and the care and tuition of them, with the management of this Allowance, was committed to sir Edw. Harrington, not a member, but he afterwards desired to be excused from the office.

The Commons order Money to be coined in the Name of the Commonwealth.] Another report was made to the house from the Council of State, concerning the Form and Inscriptions of the new Coin; when it was resolved to have the Inscription in the English tongue, and to be, on that side where the English arms do stand alone, 'The Commonwealth of England;' on the other Side, which bears the Arms of England and Ireland, 'God with us.'

An Act of Oblivion ordered in.] The last thing done this day was to vote that an Act of Oblivion should be brought in; and the question being put, That the time to be set in that act, from which no action or suit shall be commenced or prosecuted for any thing said or done in the time of the War, and in prosecution thereof, shall be before the first day of this Term: The house divided, when it was carried in the affirmative, 25 against 22; and an Act was ordered in accordingly.

May 3. This day was observed as a Day of public humiliation, to beg God's blessing upon Cromwell and his Army, then going for Ireland. The Ordinance for keeping a Monthly Fast was repealed, and occasional ones substituted in their stead; for which this reason is assigned in the Act, "That such set times for extraordinary duties of Worship are apt to degenerate into mere formality and customary observances."

The Parliament's Agent assassinated at the Hague.] May 2. Dr. Dorislaus, an Agent for the parliament in Holland, having been assassinated there by some royalists, in revenge, as they said, for their king's Murder, he having acted as counsel against his majesty at his trial: this day sir H. Vane reported to the house, from the Council of State, the Examinations of the 3 persons, servants to Dr. Dorislaus, who were present at his death, and likewise a letter from Mr. Walter Strickland. These being read, together with the Opinions of the Council of State, touching the Disposal of Dr. Dorislaus's body, his children and servants, the house ordered, That 200*l.* per Ann. be settled as a pension for life on his son; 500*l.* a-piece to be given to each of his daughters, and 250*l.* for his interment, to be charged upon the revenue. And that a Declaration should be drawn, on occasion of the Murder of Dr. Dorislaus, in order to be printed and published, which was done accordingly.

May 15. The house was resolved into a grand committee, to debate on the putting a Period to the sitting of the present Parliament. After the house was resumed, it was resolved, That, in order to the declaring a certain time for putting a Period to the Sitting of this Parliament, the house was of opinion, That, in the first place, consideration be had of the stating of the succession of future Parliaments, and of the regulating of their Elections; and a committee was ordered accordingly.

May 19. The house passed an Act, declaring and constituting the People of England to be a Commonwealth, and a Free State; to be henceforth governed as such by the Supreme Authority of the Nation, the Representatives of the People in Parliament, and by such officers as they shall appoint, without any King or House of Lords; and ordered it to be forthwith printed and published.

The house having received advice that the late Insurgents, now distinguished by the

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name of LEVELLERS,* were routed, their Leader, William Thompson, slain, and many of them in prison at Oxford and Northampton; they ordered commissions of Oyer and Terminer to be sent down to those places to try them, also a Proclamation into several counties, for apprehending all those who had fled from the lord general Fairfax.

May 31. The house accepted of an Invitation from the Lord Mayor and citizens, to dine with them on the Thanksgiving Day at Grocers-Hall, after the sermons were ended.

The Parliament entertained, at Dinner, by the City of London.] June 6. A new Mace was brought into the house, ornamented with

* Mr. Hume gives us the following account of the State of Parties at this time: "The confusions which overspread England after the murder of Charles I. proceeded as well from the spirit of refinement and innovation, which agitated the ruling party, as from the dissolution of all that authority, both civil and ecclesiastical, by which the nation had ever been accustomed to be governed. Every man had framed the model of a republic; and, however new it was, or fantastical, he was eager in recommending it to his fellow-citizens, or even imposing it by force upon them. Every man had adjusted a system of religion, which being derived from no traditional authority, was peculiar to himself; and being founded on supposed inspiration, not on any principles of human reason, had no means, besides cant and low rhetoric, by which it could recommend itself to others. The Levellers insisted on an equal distribution of power and property, and disclaimed all dependence and subordination. The Millenarians or Fifth-Monarchy-Men required, that government itself should be abolished, and all human powers be laid in the dust, in order to pave the way for the Dominion of Christ, whose second coming they suddenly expected. The Antinomians even insisted, that the obligations of morality and natural law were suspended, and that the elect, guided by an internal principle more perfect and divine, were superior to the beggarly elements of justice and humanity. A considerable party declaimed against Tythes and Hireling Priesthood, and were resolved that the magistrate should not support by power or revenue any ecclesiastical establishment. Another party invcighed against the law and its professors; and on pretence of rendering more simple the distribution of justice, were desirous of abolishing the whole system of English jurisprudence, which seemed interwoven with monarchical government. Even those among the Republicans, who adopted not such extravagancies, were so intoxicated with their Saintly character that they supposed themselves possessed of peculiar privileges; and all professions, oaths, laws, and engagements had, in a great measure, lost their influence over them. The bands of society were every where loosened, and the irregular passions of men were encouraged by speculative principles, still more unsocial and irregular. The Royalists, consisting of the nobles and more considerable gentry, being degraded from their authority, and plundered of their property, were inflamed with the highest resentment and indignation against those ignoble adversaries, who had reduced them to subjection. The Presbyterians, whose credit had first supported the arms of the parliament, were enraged to find that, by the treachery or superior cunning of their associates, the fruits of all their successful labours were ravished from them. The former party, from inclination and principle, zealously attached themselves to the son of their unfortunate monarch, whose memory they respected, and whose tragical death they deplored. The latter cast their eye towards the same object; but they had still many prejudices to overcome, many fears and jealousies to be allayed, ere they could cordially entertain thoughts of restoring the family, which they had so grievously offended, and whose principles they regarded with such violent abhorrence. The only solid support of the Republican Independent Faction, which, though it formed so small a part of the nation, had violently usurped the government of the whole, was a numerous army of near 50,000 men. But this Army, formidable from its discipline and courage, as well as its numbers, was actuated by a spirit that rendered it dangerous to the assembly which had assumed the command over it. Accustomed to indulge every chimera in politics, every frenzy in religion, the soldiers knew little of the subordination of citizens, and had only learned, from apparent necessity, some maxims of military obedience. And while they still maintained, that all those enormous violations of law and equity, of which they had been guilty, were justified by the success with which Providence had blessed them; they were ready to break out into any new disorder, wherever they had the prospect of a like sanction and authority. What alone gave some stability to all these unsettled humours was, the great influence both civil and military acquired by Oliver Cromwell. This man, suited to the age in which he lived, and to that alone, was equally qualified to gain the affection and confidence of men, by what was mean, vulgar, and ridiculous in his character; as to command their obedience by what was great, daring, and enterprising. Familiar even to buffoonery with the meanest centinel, he never lost his authority: transported to a degree of madness with religious extasies, he never forgot the political purposes to which they might serve. Hating monarchy, while a subject; despising liberty while a citizen; though he retained for a time all orders of men under a seeming obedience to the parliament; he was secretly paving the way, by artifice and courage, to his own unlimited authority."

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flowers instead of the Cross, and a ball on the top; with the Arms of England and Ireland instead of the late king's: this was not only approved of and ordered to be carried before the Speaker for the future, but all other maces, throughout the nation, were required to be made according to the same form and pattern. The house also made an Order, That the Lord Mayor of London, on his reception of the Speaker and members of parliament at Dinner, the next day, should deliver the Sword, usually borne before the lord mayor, into the hands of the Speaker; and that he should, thereupon, re-deliver the Sword to the lord mayor. This ceremony, never done before to any but the kings of England, from whom they received that Sword, was performed at Grocers-Hall.—Mr. Whitlocke gives the following Account of the ceremonial observed at Dinner.* "The Speaker sat first, next to him the lord mayor, and then the lord-general. The earl of Pembroke calling to Whitlocke to sit down, being the antient Commissioner of the Great Seal, he desired his lordship would be pleased first to sit down, and then he would sit by him. With that the earl spoke aloud, (as he used to do) that all near him might hear, 'What, do 'you think that I will sit down before you? I 'have given place heretofore to bishop Williams, to my lord Coventry, and my lord Littleton; and you have the same place that 'they had; and as much honour belongs to 'the place under a Commonwealth, as under 'a king; and you are a gentleman as well 'born and bred as any of them; therefore I 'will not sit down before you.' With this earnestness he caused Whitlocke to sit down before him, and sat himself the next to him; the lord president of the Council, the other commissioners of the great seal, also the earl of Salisbury and the lord Howard, sat next to the earl of Pembroke; and, after them, lieut. gen. Cromwell, and other members of parliament, and of the Council of State."—Upon this occasion some of the Aldermen and Common Council, in the name of the City, presented to the lord-general Fairfax a large, weighty bason and ewer of beaten gold; and to lieut. gen. Cromwell a service of plate of the value of 300*l.* and 200 broad-pieces of gold, as a testimony of the City's good affections. How acceptable all this was to the parliament appears by the following Vote passed the day after the entertainment, viz. Resolved, "That this house doth take in very good part the great respect shewn yesterday, by the lord mayor, aldermen, and common-council, to the Speaker and members of this house; and that the hearty Thanks of the house be given to them for it." A committee was also named to consider of some Mark of Favour and Respect to be done, by the house, to the city of London.

Votes for reducing the Honours observed to the late King's Children.] June 13. The care of the late King's Children had been committed to the countess of Leicester, by the house, and they had received a Letter from this lady, desiring some Regulations as to her conduct to them: on which the house this day voted, "That the late King's Children should sit with the earl and countess of Leicester, at their table, as part of their family, and not otherwise: and that the said earl and countess do take care that no other observance or ceremony be used to those Children, than to noblemen's children of this nation."

Votes for rewarding the Parliament's Friends.] June 19. Whilst the house was reducing the estate of the remains of the unhappy royal family, they took care to aggrandize that of their friends and fellow labourers. Bradshaw, who sat as President in the High Court of Justice, at the Trial of the king, was made Lord President of the new Council of State; and this day, the house voted 2000*l.* per ann. to be settled on him and his heirs; and 1000*l.* to be forthwith paid him, towards his Charges expended in the service of the State. Soon after he was made Attorney-General of the Commonwealth for the counties of Chester, Flint, Denbigh, and Montgomery, and Chancellor of the Duchy of Lancaster. Large grants of lands and sums of money were also voted to members of the house, and others, out of Crown and Deans and Chapters Lands, forfeited Estates, &c. many instances of which now frequently occur in the Journals.*

Vote for the Recovery of Ireland.] June 22. A report from the Council of State was this day heard in the house; in which was included a Commission, constituting Cromwell commander in chief over the Forces in Ireland, and governor general of Ireland. This being read, in Latin and English, the house voted, "That the civil and military power in Ireland shall be, for the present, conjoined in one person; and that the time of the continuance of this commission shall be for 3 years." Instructions for this commander were ordered to be prepared by the Council of State, and reported to the house with all speed.

Disposal of the Crown Lands.] June 30. The house having before disposed of the Personal Estates of the late king and his family, went next upon the disposal of the castles, houses, manors, parks, &c. belonging to the Crown. Amongst these the Council of State referred it to the parliament, that the following should not be sold, but kept for the public use of the Commonwealth, viz. Whitehall-House, Westminster-Palace, St. James's Park, St. James's House, Somerset House, Hampton Court, and the House Park, Theobalds and the Park, Windsor and the little Park next the House, Greenwich House and Park and Castle, and Hyde Park. Also, that the new Park at Richmond, in Surrey, be settled upon the city of London, as an act of favour from the house,

* Memorials, p. 392.

* See the "Mystery of the Good Old Cause," in the Appendix to the present volume.

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for the use of the city and their successors. This proposal from the Council of State was confirmed by a resolution of parliament.

July 2. This day a Letter, subscribed by the lord Loudon, chancellor and president of the Parliament of Scotland, dated at Edinburgh, June 26, was read. After which it was ordered to be referred to the Council of State, to consider how the Demands formerly made by the parliament of Scotland, may be prosecuted, and this Parliament, with their proceedings, vindicated from the aspersions in this Letter. The Council having delivered in their opinion two days after the house voted, "That the said Letter was of such a nature as laid an incapacity of prosecuting the former Demands by way of Treaty." And the Council of State were ordered to draw up a Declaration to that purpose, and present it to the house.

July 14. The said Declaration being perfected, was this day presented to the house, agreed to, and ordered to be forthwith printed and published. It is very long, and recapitulates the whole Dispute which had just before happened between the two kingdoms.

Cromwell prepares to embark for Ireland.] The house employed the greater part of this month in making necessary preparations for the Expedition into Ireland: the marquis of Ormond had advanced far in his conquest of that kingdom, and had actually laid siege to Dublin, which made the government on this side very anxious about it. The forces designed to be employed against him, under the command of Cromwell, were ordered to embark forthwith; and he himself was to go with them, invested with all the pomp and regalities of a deputy lieutenant of that kingdom. The house also borrowed 150,000*l.* more of the city, at 8 per cent. and on the credit of the Excise, for this Expedition.

Orders for melting down the Regalia, and demolishing the Statues of the late King.] Aug. 9. The house heard a Report from the Council of State; and afterwards, upon the motion of Mr. Henry Martin, ordered, That those gentlemen who were appointed to have the custody of the Regalia, do deliver them over to the trustees for Sale of the Goods of the late king, queen, and prince, who are to cause the same to be totally broken; and that they melt down the gold and silver of them, and sell the jewels for the best advantage of the Commonwealth; and to take the like care of those that were in the Tower. An Order was also made for taking down and demolishing the Arms of the late king in all public places, and likewise all Statues of him, and Inscriptions.

A Cessation agreed on by Colonel Monk with the Irish Rebels, censured by the House.] Aug. 10. An affair relating to colonel, afterwards the famous general, Monk, happened in the house this day, which deserves our notice. This officer had been long employed in Ireland by the parliament, and had lately made an Agreement for a Cessation of Arms with the Irish Rebels. The colonel was questioned for this by the new lord lieutenant in that kingdom, and by him remitted over into England, with his Papers, to the Council of State, who referred him to the parliament: and this day, being called to the bar to answer for his offence, he owned the fact, and said he did it on his own score, perceiving it was for the preservation of the English interest there; and that they had reaped some fruits thereof accordingly. After much debate, the house came to the following Resolution: "That this house doth utterly disapprove of the proceedings of col. Monk, in the Treaty and Cessation made between him and Owen Roe O'Neile; and that the innocent blood, which had been shed in Ireland, is so fresh in the memory of this house, that they do detest and abhor the thoughts of closing with any party of popish rebels there, who have had their hands in shedding that blood: nevertheless, the house being satisfied that what col. Monk had done therein, was, in his apprehension, necessary for the preservation of the parliament of England's interest there, the house was content the further consideration thereof, as to him, be laid aside; and should not at any time hereafter, be called in question." The colonel being again called in, the Speaker acquainted him with this resolution.*

Victory over the Marquis of Ormond, in Ireland, by the Parliament's Forces.] Aug. 14. The house received Letters from Ireland, giving an account of a great Victory obtained by their forces there against the marquis of Ormond. A Day of Thanksgiving was immediately appointed for this wonderful and seasonable victory, vouchsafed by the goodness of God to the parliament's forces, under the command of lieut. gen. Jones, Aug. 2, against the whole army of the Rebels in Ireland, commanded by the earl of Ormond, then besieging Dublin. A Declaration was also ordered to be drawn, of the Grounds and Reasons of the setting a-part the said Day of public Thanksgiving, and an Act for the due observation thereof, the care of which were left to Mr. Whitaker and Mr. Scott: 1000*l.* per ann. in lands, was settled, by an act, upon lieut. gen. Jones, and his heirs; also 6 of the king's best horses were given to him, as a reward for this great service.

Mutinies and Insurrections at Oxford, Norwich, and London.] Sept. 11. The parliament was not yet altogether free from alarms: for

* Mr. Whitlocke writes, "That Monk was much discontented at the proceedings in this business in relation to himself, especially at some passages highly reflecting on his honour and fidelity: that it was the opinion of divers, either not to have questioned him in this business at all, or, having once done it, never to employ him any more in the service: but that the major part carried it for beating him first, and then stroaking him; which some think he never forgot." Memorials, p. 403.

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they had intelligence of a great Mutiny in the garrison at Oxford, which was ordered to be inquired into. A much greater Insurrection happened also at Norwich, in which many people were slain; and Mr. Utting, the mayor, and one Mr. Tooly, were voted grand Delinquents, and ordered to be sent for as such by the serjeant at arms attending the house. They were afterwards fined and imprisoned in the Fleet.—Nor was the parliament without their fears nearer home, as appears by a Paper read in the house, intitled, 'An Outcry of the young Men and Apprentices of London.' As they had had enough to do with this sort of people lately, it gave them the greater alarm; and they ordered commissions to be issued out, under the Great Seal, for trying such persons as had been contrivers, promoters, or publishers of the said Paper, on their new act relating to Treason.

The Parliament's Declaration in Vindication of their Proceedings,] Sept. 28. This day the house agreed to the following Declaration in Vindication of all the late Proceedings of the Parliament:

A DECLARATION of the PARLIAMENT of ENGLAND, in Vindication of their Proceedings, and discovering the dangerous Practices of several Interests against the present Government and Peace of the Commonwealth. *

"How greatly it hath pleased God, even by a continued series of miracles and wonders, to exalt his own name, and glorify his mighty power in the eyes of this and our neighbour nations, by the constant course of Deliverances which he hath wrought for these many years late past, on the behalf of a sinful and undeserving people, and by the means of weak and unworthy instruments, we can never frequently enough remember, nor be sufficiently thankful for: 'Their Rock hath not been as 'our Rock, even our enemies themselves being 'Judges.'—And, indeed, this wonderful Going-forth of the good hand of God with us, and for us, hath been that principally which hath supported us, and borne us up above all those swelling and multiplied waves that have followed one upon another, and hath made us to stand against the many storms and asssaults wherewith we have been attempted by all sorts of parties and interests amongst us; who, dividing and withdrawing themselves from public ends, do all them, notwithstanding, (because acted by one principle, even the Power of Darkness) make shift so far to understand each other, as, when opportunity serves, to take one another by the hand, for strengthening and upholding themselves, in practising and contriving, under several specious pretences, against the good, peace, and safety of the whole. We have been like unto the Bush in the Midst of Flames; but, by the good-will of Him that dwelt in the Bush, we have not been consumed; and like the remnant left by God in the land, which though he will cause to pass through the fire, yet it is to refine them as silver is refined, and to try them as gold is tried, that he may make them a people 'who shall call upon God, and he will 'hear them;' and of whom God shall say, 'They are my People, and they shall say, The 'Lord is our God.' By this secret confidence and expectation of our hearts, wherein we hope we shall not be disappointed, and, through the good Providence of God, we have been kept together, even to this very day, as weak instruments in the hand of our great God, serving our generations, and discharging the high trust of our places, whatever the discouragements and difficulties have been that we have met with, and dangers that have threatened us on every side; such as we may truly say, former ages can hardly parallel; and such as were not to have been expected, especially from those who had made so great a progress in conjunction with us against the common enemy, and in vindicating and asserting the purity of Religion and public Liberty.—For, when first of all we came to be engaged in carrying on this great and glorious work of Religion and public Liberty, how lively and uncorrupted were our affections! how satisfied and unanimous were our judgments? how fixed and undaunted our resolutions in that which appeared to us so necessary, so just, and so worthy to be undertaken by true patriots and good Christians? we did therefore run well; but who, or what, hath hindered us that we seek not still to obtain what at first we thought so desirable, without giving back or turning aside until the Work be perfected, and the persons engaged in the prosecution thereof be secured against the enmity and revenge of those that are rather made more implacable, than converted, by all the Deliverances that God hath wrought for us, and the testimonies of displeasure against them, as often as they have risen up and set themselves against us? Whatever the great failings and infirmities have been, and do still daily discover themselves amongst us, that hold it our duty to give our attendance upon our trust in parliament, so long as opportunity is offered unto us for the same; we can truly say, That as Religion in its purity, and public Liberty, were the ends which, from the beginning, we had before our eyes when we engaged in this great Work, so are they still our desires and endeavours; the comfortable fruit whereof we would willingly have to be reaped by this nation, at least in their succeeding generations, if it were the will of God; and the prosecution of this, and this only, (however we are reproached, and unjustly vilified by slanderous tongues and pens) is that which keeps most of us together at such a time, when, as in the case of Hester, we see, if we had done otherwise than we have done, and deserted our stations, and cast up the helm, the visible means of carrying on the Work had failed, and sunk down into

* Printed by John Field for Edward Husbands, Printer to the Parliament of England.

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certain disorder and confusion.—But whether there hath not been found a manifest defection and apostacy from these good and public ends, by those that at the first did bear the name of Patriots and Lovers of Religion amongst us, we appeal to the actions and ways themselves, which such persons have since appeared in, that do sufficiently evidence against them, and declare them the builders up again of what they once joined in the destruction of; and so do make themselves transgressors, and stand in need of no other confutation and conviction.—Among the number of those we reckon them that, either under pretence of advancing Reformation of Religion, can go back and incorporate themselves with the avowed and known Haters of God, and enemies to the Life and Power of Holiness; or that, under pretence of bringing us into the perfection of public Liberty, can fetch a compass quite round, and make the bringing in again of Monarchy into this Commonwealth, to be the only means of settling it in freedom. The actors in such designs as these carry the evidence of their own conviction in their forehead, unto all that are not wilfully blind, or maliciously corrupt; and therefore would seem to stand in no great need of much pains to be taken to undeceive them.—And however it hath been the good pleasure of God to suffer those that have been formerly instrumental and helps to us in this great cause, thus, by steps and degrees, to fail, and fall off like untimely fruit; yet herein hath he shewed his wonderful goodness to this nation, that their deserting of us, and breaking from us, hath not hitherto been able to keep the Work itself at a stand, but that it is still carried on; wherein we rejoice.—And, on the contrary, the time wherein they afforded their assistance and help hath been improved by God's over-ruling Providence, to bring us much nearer to our journey's end than ever we could have expected, though the ship should hereafter miscarry in the very harbour; which God forbid. And, for our parts, the larger experience which we have had of God's constant owning and seasonable assisting us in our greatest straits and most imminent dangers; and the serious consideration that the Work itself is of that nature as requires and obliges us, and all good men, to the utmost, to offer up ourselves in the sacrifice and service thereof, as we desire to approve ourselves sincere in our obligations to God, and faithful in our trusts to this nation; we do resolve, through God's assistance, to cast ourselves upon his favourable acceptance of our endeavours in persevering to the end, and his protection of us in our doing our duties, let the issue be what seems best to his Divine Providence, whether for Life or for Death.—And that we may not be wanting in what we are able, for the awakening of all those whom it doth concern unto the same sense of their duty in this behalf with ourselves, we shall briefly lay before them the happy Progress that, through God's goodness, hath been made, in procuring the blessings of Pure Religion and just Liberty unto this nation, notwithstanding all the reproaches and unthankful murmurings of ill-minded men; and wherein, we are hopeful, to grow up to whatever remains yet unperfected, if there be but answerable readiness in those whom the good of this as much concerns as ourselves, to stand by us, and join with us, in attaining the same against those many hellish designs and cursed practices that are now on foot, to plunge us again into new troubles, and give greater advantage than ever to the common enemy, by our divisions and breaches, to come upon us as an irresistable flood, with tyranny, popery, superstition, profaneness, and whatever else we have so dearly contended against for so many years together.—And, first, as to advancing of Religion to its greatest degree of purity; can any be unmindful in what a corrupted and degenerate state we found the matters of Religion, at the first sitting of this present parliament? how near the whole administration of church-affairs was brought to the superstitious and idolatrous Pattern of Rome; and how quickly we should have found ourselves swallowed up in that sinful and wretched Apostacy? for our Recovery out of which danger, how careful and zealous hath the parliament been to propagate and advance the Work of Reformation in these nations; propounding to themselves, for their guide herein, the Word of God and the best Reformed Churches? In which Work, how happily and comfortably did they proceed, whilst we were purging and reforming the Evil of Popery, Superstition, and Profaneness; in which there was a common consent and agreement of all those that unfeignedly desired the enjoyment of Religion in its greatest purity; but when once there appeared amongst us (and this from some of those who most earnestly put on the Work of Reformation, until it arrived to their own Measure and Growth) an inpatiency toward any of differing minds from themselves, however otherwise truly fearing God, and faithful Advancers of his Glory; and a Fearfulness in them of going forward, lest that which was beyond them, and as necessary to be known and attained to lead us to the enjoyment of Religion in its purity and power, should take place; whereby it might appear, that the Reformers of Popery and Profaneness stood themselves in need of Reformation, by his appearance and manifestation of himself, who 'sits as a Refiner and Purifier 'of Silver, and shall purify the Sons of Levi, and 'purge them as Gold and as Silver, that they 'may offer unto the Lord an Offering in 'Righteousness.' When this Frame of Spirit appeared amongst us, then all future degrees and measures of attaining unto Religion in its purity would not be borne; but must be branded with the foul names of Heresy, Blasphemy, and Schism; and the persons be declared and proceeded against as enemies to reformation, as disturbers of the Peace, and as fit

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objects of the Magistrate's discountenance and punishment.—And such was the implacable and irreconcilable temper of these men towards those differing from them, that were desirous to carry on the Purity of Religion beyond their measure, that many of them chose rather to fall into the power of the Cavalier and Episcopal party, and became instrumental to the bringing in of the late king, upon the Treaty at the Isle of Wight, (so much since declared against by the Church of Scotland, as destructive to the Work of Reformation settled in these nations) than that they would join with those they reputed Sectaries, in their endeavours to carry on the Work they first engaged in, to that degree of perfection as became them, after so much blood and treasure expended in the prosecution of it.—In this condition was the Work of Reformation when the Treaty of the Isle of Wight, by God's over-ruling Providence, came to be broken off; that is to say, in a manner yielded and resigned up into the power of the enemies thereof, and refused to be carried on by them that were the most zealous promoters thereof at first; although it had pleased God to make a way for the same, by continuing together a competent number in parliament, to hold up the visible authority of this nation; and, by keeping their places and stations, to do their endeavours to prosecute their first principles and ends, whilst God gave them any opportunity for the same: nay, we could wish that they had only remained passive, and been contented to have let others carried on the Work of Religion in its Purity, though they themselves held back; but this would not serve their turn, unless they flew in the face of the visible authority of this nation, and took upon them to be judges, whether we were a lawful magistracy or not; as if that were within their line, and committed to them to determine. Yet hath not all this discouraged this present parliament to do their part in propagating the Gospel, and advancing the Purity and Power of Religion in this Commonwealth; but they have continued those laws and ordinances that were already in force, for the good and furtherance of the Work of Reformation, in doctrine, worship, and discipline; and are still most willing to uphold the same, in order to suppress Popery, Superstition, Blasphemy, and any manner of wickedness or profaneness in the land; only they do conceive themselves obliged to remove and take away all obstructions and hinderances to the Growth of Religion and Power of Holiness in the midst of us; and, for this end, they have it now under consideration how such Acts and Ordinances, or any part of them, as they find penal and coercive in matters of conscience, which have been made use of for snares, burthens, and vexations to the truly sincere-hearted people of God, that fear him, and wait for the Coming of his son Jesus Christ, may be taken away.—And because we are not ignorant how injuriously our Proceedings herein are charged upon us, as if we were setting up and countenancing an universal Toleration, when our true aim in the liberty we give, is only the necessary encouragement we conceive due to all that are Lovers of God, and the Purity and Power of Religion: we can and do therefore declare, in the sight of God and men, That by whomsoever we shall find this liberty abused, we shall be most ready to testify our displeasure and abhorrency thereof, by a strict and effectual proceeding against such offenders. And if, after all this, any of those amongst us, that do profess a love to God, and zeal to advance Religion in its purity, to be their chiefest end and desire, shall nevertheless still sit at a distance from us, or shall be given up so far by God, as to make defection to the contrary party against us, and join themselves to them that are open enemies to Religion and the Power of Godliness, in what dress soever they cover themselves; we shall not doubt but their own unfaithfulness, detestable neutrality, and wicked doings, will find them out; and enlargement and deliverance shall arise to the People of God some other way, whilst they, their names and posterities, shall be destroyed.—As for public Liberty, which is the second thing; for the vindication and asserting whereof we have not thought our lives nor estates, nor any other of these outward comforts, too dear for us to hazard and expose; In what a condition that was at the sitting-down of this parliament, how near it was to breathing its last, and how little it wanted of being swallowed up in the will of a tyrant, is so well known to all men that then made any observation of the state of things, or had any sense of their own sufferings, and will but now remember them, that it shall not be necessary to repeat: and into what a happy condition it is already brought at present, by the blessing of God upon the councils and forces of the parliament; and how far advanced, in a fair way, to a settled and well-established Security for the future, though it will not be confessed by unthankful men (whose ingratitude can value no benefit received, be it never so great, while any thing remains for their exorbitant desires to pursue) yet it is such as we cannot but have a deep and tender sense of, and acknowledge it with all humble thankfulness to our gracious God, who hath hitherto helped us; unless we should shew ourselves less affected with it than our friends are, who are less concerned, and yet look upon it with rejoicing. And how low thoughts soever these men have of the proceedings of providence in the carrying on of this Cause, yet the future contemplation of the actions of this time, (for the greatness and justice of them hardly to be exampled in any other) will cause men to say, What hath God wrought! And our very enemies themselves shew, that they have other opinions of it, being forced to feel God's hand lifted up, which they would not see; sinking into confusion, and gnashing with their teeth, while they consume away in their envy, at that prosperity which God hath clothed us with from his own good

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hand.—And we are very confident, that even those who are now acting their parts for their private ends, which they would bring about by what means soever, and remove whatever stands in their way, however either dear or sacred; and would destroy this present Government, which doth and will hinder such designs so long as it is in being; and they therefore endeavour to render vile, publishing daily against it, and against many particular men whom God hath honoured with faithfulness to his Cause, and made eminently or specially instrumental to advance the same, all manner of shameless calumnies, lying revilings, slanders and reproaches; as if, in this time, nothing had been done toward this just liberty, nor that any thing would be done, unless they, like Absalom, could bring themselves into power, and undertake the Work according to those wild principles of theirs, which they have published in print to that purpose; which holds forth a liberty without property, public safety, or protection: We say, if those men would but recall to their consideration their own hopes which they had of Liberty in the beginning of this parliament, and with how small a proportion of what they now enjoy their then narrower Desires were bounded, they would confess them to be far short of what is already had.—But to let them pass, who, being acted by particular interest, have not left themselves the benefit of being convinced or directed by common and universal reason, it was not then believed by most of those, whose innocency and good meaning is now dangerously abused by the Malignant Party (by means of some of those whom they name Levellers, whose specious overtures and former pretensions to Goodness have deceived them) that ever they should have seen all that Ecclesiastical Hierarchy, with all their tyrannical Courts and Attendants, the Star-Chamber, High Commission-Court, Ship-Money, Projects, Monopolies and Purveyances, the Court of Wards and Tenures, and all the dependences of it, which heretofore was a legal pest to the free-born people of this nation, and the very ruin of many families, together with the deepest root and foundation of all the people's sufferings, even Kingship and Tyranny itself, as well as the late king, should be wholly taken away; and thereby (if God be pleased to go on to bless us, and the fault be not in the people themselves, suffering themselves to be made instrumental to their own miseries, by endeavouring to build again the things that are destroyed) a sure foundation laid for time to erect upon it the most happy structure of a just Liberty and settled Prosperity that may be expected in this world, under the direction and government of successive and equal representatives in parliament: yet all this, and much more, hath been done since the beginning of this parliament, and to which we have been led by several steps by the providence of God, directing our councils, in several degrees of manifestation, and blessing our forces for effecting of them, beyond what was either first propounded by us, or could reasonably have been hoped to be brought to pass; the very discovery of so remote an end, in the beginning of the action, had been sufficient to have discouraged any undertaking therein.—And although this great progress hath been made in the vindication and establishing of our just Liberties, yet we do not set up our rest, as if there remained no more to be done: and we conceive they who duly consider of how great weight and difficulty the Work is, that we have in hand, and will but inform themselves what hath been done now in 3 months, since the Restitution of the just Liberties of the people, and the settling of the present government, will not be offended that something remains to be proceeded in.—They may take notice that Ireland, which was brought into such a condition, first by the Treason of Inchiquin, whereby the whole province of Munster was lost; then by the return thither of Ormond, whereby most of the Popish party were reconciled, and with whom a peace was made for carrying on the interest and pretended title of Charles Stuart. Thirdly, by the Rebellion of all the Scots in Ulster, upon the same interest, and by the revolt of many that were under the command of lieut. gen. Jones; all that remained to the parliament there was only within the walls of Dublin and Derry, and they both strongly besieged: yet, through the blessing of God, Ireland itself is now in a more hopeful way of speedy settling, than at any time since the first rebellion.—There hath been also, this year, a great and powerful Fleet set out to sea, under faithful commanders, whereby Trade hath been protected, the English honour and interest upon their seas maintained, foreign attempts against us discouraged, and a great reputation procured to our affairs abroad. A free passage hath been also given to the execution of justice, according to the laws, throughout the nation: and the peace thereof hath been preserved, notwithstanding many designs, and some endeavours, to disturb it. And, for what still remains to be done, we shall, according to the great trust that is upon us from the people, proceed therein for the procuring their common good; which is the true and ultimate end of all just government; and, by a right aim at that, direct all our actions, and not cease to improve our best judgments, and lay out our most unwearied labours, notwithstanding all discouragements either from malice, envy, danger, or any other cause whatsoever, to promote the same, so far and so fast as the subject-matter will bear; the proceedings wherein ought to be judged sufficiently expeditious, that are sufficiently safe. And we should betray our great trust if we should suffer ourselves, by the impotent haste and importunity of any, to do that which might be inconsistent with the peace and safety of the whole.—The great Work we have first to do, is to establish the being and safety of the Commonwealth upon sure foundations, which are undermined

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by more enemies than are visible to all. This provided for, we shall not be wanting daily to remove or add what shall be for the well-being of it, either in conveniency or ornament; for the enjoyment whereof we conceive the people may with the greater patience attend, because their present condition is already so much better, besides the capacity of improvement, than it was in the best of that Egyptian state, to which, by reason of some necessarily remaining pressures, they are too easily seduced to an inclination to return. To preserve them from which (because we would not omit any thing that is in our power, that may be for the good of those who have trusted us) we shall endeavour to undeceive those of the people, whose innocency and well-meaning hath subjected them to be deceived and dangerously misled, by the specious and subtle insinuations of that sort of men, who, being themselves corrupted by the common enemy, do endeavour to bring the nation again under their bonds of tyranny and monarchy; and, while they have nothing in their view but Liberty, are deceived into those actions and practices which tend naturally and necessarily to the inevitable loss of that liberty they so much call for, if they should not be preserved against their will, by those who know the danger into which they run.—For this purpose we desire all men to remember, that, at the end of the first war, we had not then an end of our troubles; but that enemy which was beaten and conquered in the field, and could do no more by force, had recourse to subtle practices; and by corrupting a party in the parliament, and by their influence there, being so corrupted, had almost broken that Army by which he was beaten.—The specious pretence was the liberty and ease of the People; they had long been under a war, oppressed and ruined with heavy burthens, which it was now necessary to ease them of: what benefit had the people by those victories, and that conquest, if they must still continue under the same charge? there was now no more an enemy in the field, what need was there of an army to continue that heavy and unnecessary charge upon the people? by such arguments, and by their power, that faction prevailed to vote the disbanding of the Army, and vast sums of the Commonwealth's treasure was by them then wasted to effect it; thereby to make way for the admitting of the then king, to the re-exercising of that power which had produced such bloody and fatal effects, and without any just satisfaction given to the people for the same; which how easily and certainly it would have followed the disbanding of the Army, is sufficiently evident by the breaking out of the second war, then in design and agitation.—And although the second war was also, by the blessing of God upon the endeavours of those who were faithful in the Parliament and Army, brought to an end; and that design of mischief which was so universally laid, and that came to action in so many several parts of this nation, (although assisted with the invasion of a numerous army of a foreign enemy, who had a deep interest in, and close correspondency with, a very great party of all sorts in this nation) effected nothing of their main end, God being pleased so signally to evidence his indignation against them; yet it is very evident in what condition the Liberty of the people had been, as to all human support, if the Army had not been in a readiness to have opposed that design, which that traiterous Party did so vigorously drive on, under the pretence of easing their burthens, to leave them naked of all defence against the prepared attempts of their malice.—This grand design of mischief is still carried on, although by other agents, and under another pretence: the former agents have now neither credit nor power; and therefore being able to contribute to that cause no more than the first Malignants themselves, they now appear not. Another course is resolved and pursued; they saw they were not able to beat the Army, nor disband it, nor persuade the people they might spare it, so they attempt to corrupt the discipline of it, and debauch the fidelity of the private soldiers, and make them theirs: and while the endeavours are strong to re-establish Monarchy and Tyranny, and to make the people absolute slaves, nothing is to be held out to them but Liberty, and make them believe there is nothing hinders it but the parliament.—And the apparent actors in this must be those called Levellers, none being so fit as they to destroy the peoples Liberty unsuspected, if they once undertake it, as having endeavoured already (though there be little cause for it) to make them believe they are the only faithful Patriots, the asserters and maintainers of it. Some of those having made defection from that profession they sometimes made of Religion and Godliness, and having entertained principles of Atheism and Licentiousness, and practised accordingly, found that the practising of those principles would not be borne in a Commonwealth, under a good and just government, where Justice hath its course, and Property is maintained; where sobriety and temperance is in reputation, and the purity and Power and life of Religion and Godliness is countenanced and promoted.—And knowing that, if the pretended interest of Charles Stuart could be set up, the managing of it would be in the hands of those that are of as atheistical and licentious principles as themselves; and that they might in such a government, without either shame or danger, let out their lusts without controul) they have espoused that interest, come off to that side, held correspondency with him and his party: and in pursuance thereof have, for some while past, directed all their actions to the ruin of this Commonwealth, and enslaving the people; whom they deceive, in the mean time, with the name of Liberty, with which they would cloak their own licentiousness.—These principles and this practice of theirs is evident to all who observe their walkings and their Correspondency: besides, what, from the

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abundance of their hearts, flow from their pens in what they publish to the world, take this testimony of an intercepted Letter, written from one who hath been employed to corrupt them, and thereby drive on the main design; it needs no comment, it speaks plain, and is as follows:

'May it please your Lordships; Yours of 'the 3rd instant came to my hand; in return 'whereof know, that all our hopes here depend 'on his majesty's seeming compliance with 'Lilbourne and the Levelling Party, whose 'discontents increase daily; without which it 'is impossible for any of his Party here to be 'serviceable, unless upon their principles. 'For my own part, I am serviceable to that 'end with my utmost abilities. I have not 'been wanting to endeavour the creating Jealousies and Discontents, thereby to ruin the 'most potent: in order whereunto I have 'caused Lenthall, the Speaker, to be accused 'by some discontented persons, prisoners, to 'whom I have been very prodigal, both in rewards and promises of freedom; insomuch 'that they have prosecuted him so cunningly 'that many considerable persons, both in the 'Army and City, are engaged therein. And 'to the end the Plot may take to the purpose, 'I have insinuated by my agents, into some of 'the Levelling Party, that it is a design of the 'Grandees to remove him, to the end they 'may make their lord-president, Bradshaw, 'Speaker in his room; which hath taken such 'effect among the simple-hearted Levellers, that 'they, so far as I can apprehend, are resolved 'to join their interest with the Speaker's, to 'prevent so great a mischief, as they call it; 'by which means I doubt not but to accomplish a design that shall pull down those two 'great pillars of their new Commonwealth.— 'As touching the State of Affairs here, in relation to his majesty, I find that his friends 'increase daily, (as to matter of affection) but 'have no possibility of embodying, although 'some endeavours have been that way, unless 'the Levellers lead the way; which (although 'some overtures have been made to prevent) 'will be, I hope, suddenly put in execution. 'To that purpose I desire some assistance may 'be given me; for without supplies of money 'little can be expected, those I converse with 'all being either extreme needy or covetous. 'I have sent a faithful agent over sea, to salute 'and attend the motion of his Irish Excellency. 'I doubt not but shortly you will receive a 'good account touching that business. Sir, I 'pray be mindful of him, that as a prisoner for 'his affection to the service of his majesty, 'hath been wanting in nothing, according to 'his utmost possibilities, that might manifest 'his loyalty to his king, and respect to your 'lordship.* T. F. London, Fleet, Sept. 6, 1649. The inner case, in which the Letter was inclosed, indorsed thus, 'For 250, these.' The outer case thus, 'A M. M. Robert Sha-'matre, au quatre Vents Rue perdue, proche la 'Place Maubert, à Paris.' In which was written thus; 'Sir, I beseech you, as heretofore, con-'vey the inclosed as directed; the performance 'hereof will exceedingly oblige Your Friend, 'T. F.'—And whereas the principal means that God hath used to procure the liberty we now enjoy, hath been the councils and authority of the Parliament, and the faithfulness of the Army: these men have attempted upon both; they have, by their false, seditious, and treasonable invectives and Pamphlets, laboured to render the parliament not only contemptible, but abominable to all the people, that they might weaken and take off that respect and reverence they owe to them, from whose obedience they designed to debauch them, and so be left without any visible power to direct them; and that this Commonwealth might run into tumultuary confusions in the infancy, and not grow up into any measure of strength and settlement, in the hands of those whom God hath owned and used as instruments to bring the Work thus far; and who, by long use, might reasonably be supposed to have gotten some experience in that great Work: all their endeavours have been improved to procure a Dissolution of this Parliament, and the calling of a new Representative, pretending the people ought to have the liberty of new and frequent elections; though they very well know that, as the present distemper of the people was, the violence of faction, and activity of their secret enemies, either these elections could not be free, or the people must have lost their liberty by it, which was the thing they had in design and prosecution.—And to give them an experiment how much liberty they were like to have enjoyed under the managing of these men whose principles of tyranny are as the loins to the little finger of those whom they so much cry down; that crude conception of the 'Agreement of the People,' which was the first birth of a few of themselves, must be obtruded upon them as a super-parliamentary law, without receiving and owning of which, no man should have enjoyed those liberties they so much boast to be the unquestionable birthright of every free-born man.— For the Army; they knew the officers were above their secret practice, they therefore apply to the Soldiers; and, by their emissaries every where, infuse into them their doctrine of disobedience. And knowing well how the design of Charles Stuart was laid for Ireland, and into what hopeful condition for his party his affairs were there grown, all their endeavours were used to hinder the sending of forces thither, to prevent his greatness there, from whence he might have been considerably dangerous to this nation: they delivered for good political doctrine, 'That Ireland was a free kingdom, had been conquered by force, had justly vindicated their own liberty, and ought not to be compelled to any obedience or subor-

* This Letter was intercepted 2 or 3 days before the Mutiny at Oxford brake forth. Note in the Original.

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dination to this nation; that the soldiers ought not to suffer themselves to be transported thither; they had indeed fought for their own liberty here, but ought not to be commanded out of their own to take away that of others.' And what effect this had, and how far and how long the Relief of Ireland was hindered by the disobedience and mutinies by them caused, is very well known? so as if God had not been pleased, by no less than a miracle, to give victory to a small handful of our men there, even besides their own intention, and beyond their design, against a very great Army of the enemy's, there had not been left a landing-place in Ireland for our Army, but what they must have fought for.—They also continually suggested to the soldiers, That the parliament was a Nest of Tyrants, and therefore to be destroyed as public enemies; with much more of this kind, both published in print, and so dispersed, and otherwise disseminated among them; and what effects this doctrine wrought, the defection begun in some regiments in Wiltshire and other places, (though, by the mercy of God, soon ended at Burford) and now lately at Oxford, hath sufficiently manifested: which disobedience, if it had proceeded further, and not been restrained by that special providence which hath set bounds to the sea which it cannot pass, we might soon have been without an army to have served the Commonwealth against their attempts, who had laid their designs to appear then, when the distempers in the Army should be ready for them; as at that time the Surprize of Weymouth was appointed by capt. Gardiner and his accomplices, by commission from Charles Stuart.—And to the end also the Army might be the more easily corrupted in its discipline, and made odious to the people, all means are used to keep the Army at free-quarter, whereby they might gratify licentiousness, while soldiers were unpaid, and so left to live at discretion; they pursue the former method, complain of Burthens, cry down Excise and Taxes, but not a word of Danger; they know without these, at present, an army cannot be paid, or the liberty of the people preserved: if this art had succeeded, and the people had absolutely refused to pay, the Army must either have come to free-quarter, heavier than all taxes, or must have broken, and then the Commonwealth had been again actually in the hands of tyranny.—To persuade the people the better, they represent unto them what vast sums are daily levied; tell of many millions, with a sufficient multiplication, that have been collected, of which no account, they say, can be given: that they are beyond all that ever was laid upon them by Monarchy in the worst of times; and they leave no way unattempted to aggravate every inconvenience, to make the people sensible of their smart, that they may throw away their plaister, and die of their wounds: indeed we cannot but acknowledge that the present burthens are great, and we have reason ourselves to be as sensible of them as any others, having no exemption from them according to the proportion of our estates, where ever they lie: and there is nothing that is more in our desires and endeavours, than that we may be able to abate the Taxes; and, in time, to take them off, that the people might come to enjoy intirely the fruit of that which hath cost them so dear; and we hope, through the blessing of God, disposing the minds of the people to a chearful co-operation in this work, with a calmness and patience for a little while longer, there will be a happy end of these troubles, and a sure settlement of the peace of this Commonwealth, in the true, good, and just liberty of the people.—But, for the better preservation of the people from the distempers that might arise from such suggestions, we desire them to consider that if the burthens they bear be great, yet by whose means, and for what cause, were they laid on? Physic may be, and often is, more troublesome than the disease; yet the tendency of the one is to health and recovery, the other to death; and from that difference the election is clear and easy: and though the art of restoring a dislocated joint is much more torment than the quiet suffering of the present pain, yet every man prefers that torment before lameness. No man refuseth to procure antidotes in time of epidemical diseases, though at very dear rates, because it is for his preservation; nor to buy food and cloathing, because he cannot live without them. And we doubt not but, if men would without prejudice consider that they can no more live, or live free, without an Army, than without food, as the present state of affairs stand; and that they now are in times of such general distempers, as that there is need of such a remedy, they would be beyond the danger of being seduced by these pretences.—And whereas the Liberty of the People is so highly cried up by these deceivers, as being that for which men must thus adventure all; we do acknowledge, that a just and well-regulated liberty, under just and good laws that may preserve it from participation of, or degenerating into, anarchy and confusion, is a most desirable thing, and that which may deserve the utmost hazard of all that is dear to a man; but we desire them to consider, that this was seized into such hands as it could not be purchased from without a vast expence, nor secured without trouble and charge; which we therefore, though with a tender sense and with much reluctancy, are, for the present, necessitated to raise. Those who cry out upon it, and would have all burthens, all taxes, taken off for the Liberty of the People, are those who at best (if they be not professedly enemies) are yet acted and abused by them, as instruments to destroy all our true liberties, to reduce us again under the power of a worse tyranny, than we ever yet were under: and to this the people must themselves be made instrumental, while they pursue an empty name of that thing, the possession whereof they already

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have, and may keep and enjoy, if they will not be abused by those who, under the pretence of that name, which is in itself most desirable, would bring into the nation what in themselves they have entertained, both in principle and practice; namely, atheism, licentiousness, with anarchy and confusion of all things.—We have thought it necessary, at this time, to make this discovery of those men, and to give this warning of them; and, God assisting us, shall not cease to watch against, and suppress, all their designs, and oppose all their practices: and as our duty is, in respect of our great trust, we shall endeavour to make the people happy, and promote their good; and shall not give over that good work, for any discouragements from the unkindness and unthankfulness of those for whom our labours are intended.—And if we have suffered these distempers to proceed thus far, and have not put forth the power that resides in us to secure the Commonwealth and good patriots from the dangers that are here represented; let it be considered what weighty affairs have been upon us, and how much hath been done since we were a Commonwealth. Besides that, the whole body hath been in a long and dangerous disease; and it could not be expected but, though the cure be perfect, yet many humours would remain that might possibly be capable to be altered; and, being so, be more profitable to the body than to be purged out; and we thought it convenient to wait, if their better consideration of affairs, and of their duty, would reduce them to a better temper: but now finding some incorrigible, and that our tenderness to their errors (which we would willingly have called mistakes) is interpreted to be weakness and fear by those that offend, and slackness and negligence by those who are in danger; we do hereby declare, That we have resolved to alter that course: and as justice hath been lately done on some at Oxford, in a military and martial way, who were subject to that jurisdiction, and shall be in like manner on any other that shall so offend; so we have issued special commissions of Oyer and Terminer, for the speedy Trial of the chief of those who have laid and carried on those dangerous designs: and shall be ready to spare the rest for present, whose repentance and sorrow for their past crimes may render them capable of mercy; and who shall give sufficient security, that they will not hereafter endanger or disturb the peace of the Commonwealth. And we do also hereby declare, That as we shall have in especial esteem all good patriots, and, for their just advantage upon all occasions, take notice of those who deserve well of the Common-wealth; so if any shall hereafter practise against the Common-wealth and the present government thereof, and shall offend against the laws established, of whatever quality, condition, or calling they are, there shall be a speedy and severe proceeding against them, without favour or respect of persons; that we may, so far as God shall enable us, fulfil the end of magistracy, in being a terror to the evil-doers, and for the praise and encouragement of them that do well. HEN. SCOBELL, Cler. Parl."

Drogheda taken by Cromwell.] Oct. 2. This day the house received dispatches from Cromwell, dated Dublin, Sept. 17, giving an account of the taking of Drogheda. For this important success of the parliament's forces in Ireland, the house appointed a Thanksgiving-Day to be held on the 1st of Nov. ensuing throughout the nation. They likewise ordered, that a Declaration should be prepared and sent into the several counties, signifying the Grounds for setting apart that day of public Thanksgiving. A Letter of Thanks was also voted to be sent to the lord-lieutenant of Ireland, and to be communicated to the officers there; in which notice was to be taken, That the house did approve of the execution done at Drogheda, as an act both of justice to them, and mercy to others who may be warned by it *.

The Parliament resolve that an Engagement to be true to the Commonwealth Government, be subscribed by all public Officers.] Oct. 11. This day a Resolution was passed, That every Member who then did, or should hereafter, sit in that house, should subscribe his name to the following Engagement, viz. "I do declare and 'promise, that I will be true and faithful to 'the Commonwealth of England, as the same 'is now established without a King or House 'of Lords." And that these subscriptions should begin the next morning. Accordingly, the next day, the Speaker first, and afterwards divers Members did subscribe this Engagement.—Ordered, also, that the General, and all the Officers and Soldiers of the Army should do the same: that the Judges of the several Courts at Westminster, all the serjeants at law, counsellors, officers, ministers, and clerks, and all attornies and solicitors, should subscribe this Engagement. The same orders was sent into Ireland; to the lord mayor of London; to the generals, and admirals of the fleets; to the judges of the Courts of Admiralty and the Civil Law, to the readers, benchers, &c. of the several Inns of Court and Chancery: in short, to all and singular persons that bore any office, civil, religious, or military, and those under them, throughout all England, Wales, and all the English Dominions; who were to subscribe

* The Marquis of Ormond, the regal lord-lieutenant of Ireland, in his Letters to Charles II. and lord Byron, in relation to the storming of Drogheda, remarks, "That on this occasion Cromwell exceeded himself, and any thing he had ever heard of, in breach of faith and bloody inhumanity; and that the cruelties exercised there for five days after the town was taken, would make as many several pictures of inhumanity as are to be found in the Book of Martyrs, or in the relation of Amboyna." Carte's Life of James, duke of Ormond, vol. ii. p. 84.

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this Engagement, or else be rendered incapable of holding any such office or employment, public or private, for ever after.—The house also ordered the style, heretofore used in the Orders and Acts of the house, viz. 'By the Commons in Parliament assembled,' to be no more used, but, instead thereof, these words, viz. 'By the Parliament.' As the first instance of which it was, at the same time, ordered, That the Title to the Engagement be changed, and made 'Resolved by the Parliament, &c.'

Wexford taken by Cromwell.] Oct. 30. The house received an account from Ireland of the taking of Wexford by the Parliament's forces. The Letters from lieut. gen. Cromwell on this occasion are mentioned in the Journals, but not entered there.—The parliament ordered their lord-lieutenant's Account of this action to be published by the Clergy in their respective congregations, on the Day appointed for a Thanksgiving to God for their late Success at Drogheda.

Charles II. lands in the Isle of Jersey, and publishes a Declaration of his Right to the Crown.] Nov. 6. About this time the parliament received advice, 'That Charles Stuart, eldest son of the late king, had left St. Germains, and was arrived in the Island of Jersey, with a retinue of about 300 persons, where he had been proclaimed king; and that, upon an invitation from the Marquis of Ormond, he intended speedily to embark for Dublin.' His majesty continued in Jersey some months; but being informed of Cromwell's great successes in Ireland, gave over all thoughts of going thither, and removed to Breda; where Commissioners from the States of Scotland having attended on him with some Propositions for his Restoration, he resolved to embark for that kingdom. During his stay in the Island of Jersey, he issued the following Declaration; which, as the press was at this time under so heavy an embargo in England by the late Licensing Act, we may well presume could not be printed in this kingdom; and that probably was the reason of its being done at the Hague *.

His Majesty's DECLARATION to all his loving Subjects in his kingdom of England and Dominion of Wales, published with the Advice of his Privy Council. CHARLES, the Second of that Name, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. To all Persons within our Kingdom of England and Dominion of Wales, to whom these presents shall come, greeting.

"We cannot, without unspeakable grief and sorrow, call to mind, nor, without horror, express, how that our dear and royal father, king Charles, of ever blessed memory, hath been most barbarously and most cruelly murdered by the hands of bloody traitors and rebels, within our kingdom of England, with proceedings and circumstances so prodigious, that the particulars induce rather amazement than expression: and although we have hitherto seemed silent in a matter so highly concerning us, as not publicly to express to the people of England our grief of heart and high detestation of that heinous fact; yet being now safely arrived in a small part of our own dominions, at the Island of Jersey, we have thought fit rather from hence, where our kingly authority takes place, than from any foreign country, where we have been hitherto necessitated to reside, publickly to declare, That, out of a bitter sense and indignation of those horrid proceedings against our dear father, we are, according to the laws of nature and justice, firmly resolved, by the assistance of Almighty God, though we perish alone in the enterprize, to be a severe avenger of his innocent blood, which was so barbarously spilt, and which calls so loud to heaven for vengeance. And we shall therein, by all ways and means possible, endeavour to pursue and bring to their due punishment those bloody traitors, who were either actors or contrivers of that unparalleled and inhuman murder. And since it hath pleased God so to dispose, as by such an untimely Martyrdom to deprive us of so good a father, and England of so gracious a king, we do further declare, 'That, by his death, the crown of England, with all privileges, rights, and pre-eminences belonging thereunto, is, by a clear and undoubted right of succession, justly and lineally descended upon us, as next and immediate heir and successor thereunto, without any condition or limitation; without any intermission or claim; without any ceremony or solemnity whatsoever: and that, by virtue thereof, we are now in right lawfully seized of the said crown, and ought, by the laws of God, and that nation, to enjoy a royal power there as well in Church as Commonwealth; to govern the people of that kingdom according to the antient and known laws; to maintain them in peace and justice; and to protect and defend them from the oppression of any usurped power whatsoever. And the people of that nation, by the like laws, owe unto us, and ought reciprocally to pay, duty and obedience, as unto their liege lord and sovereign. This royal right of ours is grounded upon so clear a title, is settled by such fundamental laws, confirmed by so many oaths of allegiance in all ages, is supported by such a long continued succession in our royal progenitors, and by such a constant submission of all the people, that the same can admit of no dispute: no act of our predecessors can debar us of it; no power on earth can justly take it from us; and, by the undoubted laws of that nation, to oppose us, either in the claim or exercise thereof, is a treason of the highest degree.—And although the bloody contrivers of

* Printed by Samuel Broun, English Bookseller, dwelling in the Achter-Om, at the sign of the English printing-house.

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our father's Murder, out of a pernicious hatred to all monarchies, have by force, as much as in them lies, disinherited us of our princely right thereunto; banished and proscribed us; seized all our revenues; prohibited all intercourse and supplies to be sent to us; and have, by violence, imposed upon the people of England a new yoke of popular tyranny, to the utter subversion not only of our just rights, but of their laws and liberties; yet we do profess that we cannot persuade ourself that the body of the English nation hath so far degenerated from their antient loyalty and virtue, as to consent to these horrid proceedings against us, or to approve the casting off that Kingly Government under which they and their forefathers have happily flourished so many ages past, to the envy of all their neighbour nations. How can that once happy nation of England despair of blessed days under a royal sceptre, and vainly hope for them under the iron rod of an insolent multitude? no, we cannot look upon these sad and dismal changes as the desires or intentions of the better part of our subjects of that kingdom; but rather as the designs and contrivances of those wicked Murderers of our father; whose ambition is endless; whose avarice is unsatiable; and whose guilt hath made them desperate: and therefore, out of a confidence we have of the loyalty and good affections of many of our subjects of that nation, and as well for their encouragement, who still persist in their natural allegiance and obedience to us, as for the security of such as shall yet return to their duties and loyalties, we have thought fit hereby further to declare.—That we are graciously pleased to receive all persons of our kingdom of England and dominion of Wales, other than such who voted or acted in that bloody Murder of our dear father, into our royal grace mercy, and protection; owning and esteeming them all as our good and loving subjects, whom, upon access to our kingly authority, we shall hold ourself bound, according to the law of God, the known laws of that nation, and the duty of our kingly office, to protect, maintain, and preserve in wealth, peace and happiness. And for a clear evidence of our good intentions towards them, we shall be contented freely to pardon, or otherwise by act to declare or hold indemnified, all persons within our said kingdom of England and dominion of Wales, except as before excepted, for any matters whatsoever relating to the late unhappy wars and distractions. And we shall, according to the example of our dear father, be ready, upon the establishment of our royal throne, to make such further concessions, for the satisfaction and security of our good subjects in general, and of all interests in particular, as shall be adjudged most to conduce to the peace and happiness of that kingdom.—And we do further declare, That we shall give our utmost assistance to restore parliaments to their antient dignity and honour, and shall preserve their just privileges, and join to repair all those injuries and affronts which have been done to the members of that high court.—And because all ways of gaining a mutual confidence betwixt us and our good subjects are at present obstructed, by the usurped force and power now prevalent in that kingdom, we are therefore resolved to make use of such expedients as shall be necessary for the suppression of that tyrannical and unjust power now exercised over them, and for bringing to their due punishment those bloody Murderers of our dear father, for shaking off the heavy burdens and taxes they now groan under, and for restoring our just rights, and the antient liberties and freedom of the English nation; not doubting but we shall find all our good subjects ready to concur and to assist us in our just and pious undertakings for those ends.—And, in the mean time, we require and command all our said subjects, according to their duty to God, their allegiance to us, their several oaths and protestations, and the love and affection they bear to the peace of their native country, that they do not betray their lawful king, nor the glorious liberties and laws of England, into a perpetual slavery, by acknowledgment of, or voluntary submission to, any new forms or models of government, under the name or mask of a Free State, nor under any other title or pretence whatsoever. Given at our court at Castle Elizabeth, in our Isle of Jersey, 31st Oct. 1649, the 1st year of our reign."

Nov. 13. On the 24th of last month the house having received information that Clement Walker, esq. (one of the secluded Members) had published a Book, intitled 'Anarchia Anglicana*,' he was ordered to be sent for in custody of the serjeant at arms, with power to enter into any house, and break open any doors or locks for that purpose; also to search for, and seize, all his papers and writings. And it was referred to the Council of State to find out the printers and publishers of the said Book, and all others who had any hand therein. On the 13th of this month Mr. Walker having been apprehended accordingly, he was committed prisoner to the Tower, in order to his trial for High Treason.

The Town of Ross surrendered to Cromwell.] Nov. 16. This day came a Letter from lieut. general Cromwell, concerning the surrender of the town of Ross to the parliament's forces. The house ordered the said Letter, with the Articles of Surrender, to be printed and published. They likewise referred it to the Council of State to send over Supplies of all kinds forthwith to the Army in Ireland.

* This forms the Second Part of 'The History of Independency,' published in the Name of Theodorus Verax. A Third Part was afterwards published, by the same Author, intitled, 'The High Court of Justice, or Cromwell's new Slaughter-House in England.' It was reprinted in 1660, with Mr. Walker's name to it, and a Fourth Part added by another hand.

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Mr. Whitlocke's Speech in favour of Lawyers being elected Members of Parliament.] In the proceedings of this month, as Mr. Whitlocke informs us, "There was a great peak taken against the Lawyers; insomuch that the old odium against them was revived, and it was said in the debate, 'That it was not fit for 'Lawyers, who were members of parliament, 'if any lawyers ought to be there at all, to 'plead or practise as Lawyers during the time 'they sat as members of parliament;' which gave occasion to one of that profession," meaning himself, "to speak as follows."

"Mr. Speaker; I was unwilling again to have troubled you upon this argument, had I not been again called up by the mistakes of the worthy gentleman that spoke last, to give a true account of these matters, and to vindicate the honour of that profession whereof I am an unworthy member. The gentleman was pleased to intimate, 'That Lawyers were heretofore excluded from being members of Parliament.' I suppose he had not much studied the records of that matter, and therefore related the discourses of others by hearsay only; but for his conviction, and for the satisfaction of others, I shall acquaint you with the clear passages of what he aimed at, as I suppose; and as I find them upon record, which is much more authentic than some (perhaps) table-talk, or discourses at random.—The statute 23 Edw. 3. called the members of parliament 'the learned men,' whereof many were learned in the laws, and therefore supposed to have had that title. But shortly after this the great men degenerating, in the old age of the same king, into several factions, and being much offended with those who were learned in the laws, because they hindered their oppressions by pleading the right of law on the behalf of their clients, in 46 Edw. 3. they petitioned that 'Nul home de ley pursuont besiognes en le court le Roy; ne viscount, pour le temps qu'il est viscount, soient retournez ne acceptez chivaliers des countées:' 'That no man of law, following business in the King's courts, nor sheriffs, be returned or accepted for knights of shires.' To this the king answers, 'Voet le roy que chivaliers, et serjeants des meaux vaultes du pays, soient retournéz desore chivaliers en parliaments, et qu'ils soient eleus en pleine counté:' 'The king willeth that knights and serjeants (that is, esquires) of the best rank in the county be from henceforth returned to be knights in parliament, and that they be chosen in full county.'—After this Ordinance, and pursuant to it, a clause was inserted into the writ for chusing members for the house of commons, 5 Hen. 4. to this effect, 'Nolumus autem quod tu, seu aliquis alius vicecomes regni nostri, sive aliquis alius homo ad legem, aliqualiter sit electus:' 'We will not that you, or any other sheriff of our kingdom, or any other man of law, by any means be chosen.' According to this Ordinance and clause of Nolumus, the sheriffs have been since excluded from sitting in parliament as members, during the time of their sherifalty; the debate of which point was had, and full of learning, in a former parliament, in the case of a very learned and worthy person, sir Edw. Coke, whom most of us knew. He, being made sheriff of Bucks upon displeasure against him, was chosen knight of the shire for Bucks, and sat in parliament; and I had the honour then to be a young parliament-man, in the 2nd year of the late king*. The objections against him were 'the constant usage not to permit Sheriffs to sit as parliament-men; their oath to reside in their counties, the custody whereof was committed to them; and that their office was but annual, and so the disability was but for that time only.' But for a man to be disabled from being a parliament man, in regard of his being a lawyer, is to disable him during his life, or his continuance in his profession by which he gains his livelihood; and they are not public officers, obliged to another attendance on the public affairs, as the sheriffs are. Yet it is true that in the parliament, which was held 6 Hen. 4. all lawyers were excluded, and none of them returned to serve in that parliament; and perhaps from some general discourse hereof by others, the worthy gentleman is pleased, with confidence, to vent his doctrine and motion: but in case he did read, and understand the records of this Ordinance, and of the Clause of Nolumus, yet, I suppose he never looked into the ground of this business, nor into that which followed thereupon; wherein I shall hope to satisfy him, and so as to alter his opinion. King Henry 4 being in great want of money, summoned that parliament, and caused to be inserted in the writ this clause of Nolumus to exclude the lawyers; because he doubted that they would oppose his excessive demands which he was to make to the parliament. Walsingham saith, That all the lawyers being excluded, the Demands of the king were by this means obtained; and by this parliament was granted an unusual tax, and to the people, *tristabilis & valde gravis*, 'a tax full of trouble and very grievous;' whereof, the Historian saith, he would have set down the manner, had not the granters and authors of the same desired to be concealed for ever to posterity, by causing the papers and records thereof to be burnt.—Mr. Speaker, This is the precedent intimated by the worthy gentleman; and this was the occasion and issue of that precedent, the like whereof, I presume, is not wished by him. Walsingham styles that parliament, in the margin, 'Parliamentum indoctorum,' the 'parliament of unlearned men.' Speed, in his history, saith, That this parliament was called 'the Lack-learning Parliament, either for the unlearnedness of the persons, or for their malice unto learning.' But God hath blessed this nation with such an age of learned men at this present, that former times knew not; and we must acknowledge that, though the house should lack

* See vol. ii. p. 44.

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all their members who are lawyers, yet the rest are of so great abilities that there would be no lack of learning: yet, sir, I am sure that the addition of those many learned gentlemen of our profession hath been, and will be, some help in your affairs, and will not be despised by any prudent men. The worthy gentleman was pleased slightly to call them 'Gownmen, who had not undergone the dangers and hardships that martial men had done:' and truly it might less become the gentleman that said it, than others, to make that observation, if it had been so. The antient Romans were soldiers, though gownmen; nor doth that gown abate either a man's courage or his wisdom, or render him less capable of using a sword when the laws are silent, or you command it. You all know this to be true by the great services performed by lieut. general Jones, commissary Ireton, and many of the members, and other lawyers; who, putting off their gowns when you required it, have served you stoutly and successfully as soldiers, and undergone almost as many and as great dangers and hardships, as the gentleman who so much undervalues all of them. But we are now speaking of their right to be chosen, and to sit as members of the parliament; which doubtless is as much and the same with all other the commoners of England.—The Historian last mentioned saith, That the commons of England, who have liberty in the choice of their knights and burgesses, would not be debarred thereof by the Ordinance of Edw. 3. nor by the clause of Nolumus inserted in the writ Hen. 4. but have made a constant choice of some of them to serve for them in all parliaments. The lord Coke, 4 Instit. p. 48, holds, That the Ordinance, 46 Edw. 3, by the general words of 5. Rich. 2. stat. 2. c. 4. and 7 Hen. 4. c. 15, was repealed: however, we read not of any parliament, except that unhappy one 6 Hen. 4. in which the lawyers were excluded; and after not a few considerable services, both civil and military, performed by some of them for you, it was somewhat an ungrateful motion now to have excluded them.—We may lay aside the clause of Nolumus, lest other clauses of Nolumus, which we find in the writs of summons, do come as near home to others. Sometime clauses were inserted in the writs for election of commoners, to this purpose, 'Nolumus autem quod aliquis de retinentia domini nostri regis aliqualiter sit electus:' 'We will not that any the retinue of our lord the king, in anywise, be chosen.'—Though, sir, I acknowledge that worthy gentleman, and many others who have been the king's servants and courtiers, have been very faithful to you, and done you acceptable services; and so some of them have done in former parliaments, and I hope you all do think so; yet the undervaluing of our profession to be members of parliament, hath less strength coming from such gentlemen, than from others; because of them, some from abroad will be apt to say, though scandalously, That courtiers and king's servants used to sit in parliament rather to promote their master's ends than their country's rights; but such Objections are now out of doors.—The like passage with this we are now debating is related in the Roman Story, when the law Cinna was made, whereby it was provided, 'That, for pleading of causes, no man should take either money or gift;' and this law was endeavoured, upon the like grounds, to be set on foot presently after the death of Tiberius Cæsar. But when some alledged that this would cause the want of counsellors and advocates, whereby the poor would be oppressed by the rich and mighty; that eloquence did not come by chance, or gratis, without study and labour; that the care of a man's own family was neglected, whilst he attended other men's affairs; that some maintained their life by war, some by tilling the earth, yet no man laboured in these callings, or to attain knowledge, but for the commodity arising thereby; that the meanest of the people endeavoured what they could to better their estates, and that if the reward of studies should be taken away, studies also would decay, as having neither glory nor honour. Upon these reasons the senate thought it not just, and I hope this senate will be of the same judgment, to take away the Honorarium of advocates; but limited the same to 1000 sesterces, which some compute to be about 78*l.* of our money. Neither, saith Tacitus, did that law continue or gain compliance to it. Neither do I think that such a law amongst us would be to any effect, or have any compliance to it. But I hope this honourable English senate, and that worthy gentleman, a member of it, will be satisfied with the reasons given in the Roman senate, who were very wise men; and not trouble themselves about such new laws, which will be ineffectual, prejudicial to many, and good to none.—But the gentleman objected, and it is much urged in these times, against the profession of the law and the professors of it, 'That they are the occasion of multiplicity of suits,' and of delays in them; and therefore, after the example of some foreign countries, not to be permitted. I have observed to you before, that those in power have most reason to be displeased with this profession, as a bridle to their power; but that the profession occasions multiplicity of suits, is as improbable as any other of his reasons or his arguments.—Mr. Speaker, the reason of the multiplicity of suits and law causes amongst us, is the greatness of our trade, which causeth a multitude of contracts, and these occasion a multitude of law suits. In those countries, mentioned by that worthy gentleman, there is not one of his profession, one merchant, or one contracter, for 100 in England; that is the cause they have so few law suits and we so many. And give me leave sir, to tell him, that in the Netherlands, and countries where there is much trade, there are proportionably as many law suits as there are in England.—Another ground of what I affirm, is that, in

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foreign countries, every man's estate is disposed of by their law, after a certain rule and proportion, which the possessor cannot, either by conveyance or by his testament, afterwards alter. As when one dies his estate is thus divided by the law; his wife hath a part set out for her, the eldest son hath a double portion, and all the other sons have equal portions, and every two daughters have as much as one son, of the whole estate of their father thus divided by law. Whereas, with us, every possessor of an estate hath power to dispose of it by his deed, or by his will, as he pleases, which must necessarily occasion the more differences and suits at law, upon constructions of those deeds and wills, and contests of parties claiming, than where the known law gives a certain rule and distribution of estates, which none can alter.—Another ground of what I say is the freedom of our nation, where every one hath equal right and title to his estate, and there is as full property to the meanest as to the greatest person; which causeth our countrymen to insist upon their right and privileges, and to contest for them with the greatest men, or the prince himself, if the right of law be on their side. This occasions many more law suits than do arise in those countries where the boors and peasants do wholly depend upon the will of their lords, to whom they are slaves, and dare not dispute any matter of right with him, but tamely submit unto their lord's good or bad pleasure. And though in some of these Northern countries they have no counsellors at law, as a public profession, because the smallness of their law business will not maintain them, and the great lords are oft-times there parties and judges themselves; yet in Germany, France, Spain, and other countries, the doctors and professors of the law are in great numbers and credit, and gain vast estates, though by small fees, yet often taken, and long continuing; whereof, particularly in France, there are many precedents. And if we look so far as the times of the ancient Romans and Grecians, their lawyers will be found numerous, and of esteem among them; and when their Common-wealth enjoyed the greatest freedom, this profession was in the highest reputation. —Sir, the worthy gentleman was pleased to mention one thing with some weight, 'That lawyers were permitted to counsel and plead for men in matters touching their estates and liberties; but in the greatest matters of all others, concerning a man's life and posterity, lawyers were not permitted to plead for their clients.' I confess I cannot answer this objection, That, for a trespass of a sixpence value, a man may have a counsellor to plead for him; but where his life and posterity are concerned, he is not admitted this privilege and help of lawyers. A law to reform this, I think, would be just, and give right to the people.—What is said in defence or excuse of this custom is, 'That the judges are of counsel for the prisoners, and are to see that they have no wrong.' And are they not to take the same care of all causes that shall be tried before them? To that part of the gentleman's motion, 'That lawyers, being members of the house, should, during that time, forbear their practice and pleading,' I shall only give this Answer, That, in the act which he may be pleased to bring in for this purpose, it may likewise be inserted, that merchants shall forbear their trading, physicians from visiting their patients, and country-gentlemen forbear to sell their corn and wool whilst they sit as members of this house; which hath the same reason as to debar lawyers from their practice. But I doubt, sir, I have held you too long. My profession, and the subject matter of the debate, will plead in my excuse; and I hope, sir, by your prudence, such motions as these will be less frequent among us."

December. Business now grew very slack in the house; they did not sit above 4 days in a week, constantly adjourning from Friday till Tuesday following; and when they did meet their numbers were so few, as frequently to divide, in all under 40.

Taking of Enistery, Carrick, &c. by Cromwell.] Dec. 12. This day a Letter arrived from lieut. general Cromwell, with the intelligence of the taking of Enistery, Carrick, &c. These repeated Successes produced an Order for public Thanks to be given to Almighty God, on the next Lord's Day, in the several Churches in and about the city of London; where the lord-lieutenant of Ireland's Letter was to be publickly read to the congregations.

Col. Lilbourne's Election as a Common Council-Man of London, declared void by Parliament.] Dec. 26. Mention has been made, at p. 1306, of col. Lilbourne, and his commitment to the Tower by the Council of State. Having been tried by a special commission at the Guild-Hall, but acquitted by his jury; and, soon after, elected a common-council-man of London; this day a Petition was presented to the house, from several Aldermen and the Sheriffs of the same, against him, on which they resolved, "That lieut. col. Lilbourne was, by the late act, 'For disabling the Election of divers persons to any office or place of trust within the city of London,' disabled to be chosen a common-council-man; and his election was void."

Estimate of the Charge of the Fleet.] January 1. This month begins with an Estimate of the Charge of fitting and setting out a Fleet of 44 men of war and 28 merchant ships, manned with 8082 men, to serve for 8 months on the narrow seas, as a Summer's Guard for the year 1650. The house approved of this Estimate, amounting to 886,220*l.* and ordered the commissions of their three Admirals to be renewed for one whole year. The Names of all the Ships intended for this Summer's Guard are entered on the Journals; 3 of which being there styled the Prince, the Charles, and the Mary, the house ordered that it be referred to the Council of State to

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give other fit Names to those Ships. So intent were they upon extinguishing all remains of Monarchy, that they would not bear even the mention of the names of the late king, or any of his family.

The House resolve that Gen. Cromwell be desired to come home.] Jan. 8. The parliament having received Letters from general Cromwell, lord lieut. of Ireland, major-gen. Ireton, and the lord Broghill, dated at Cork the 18th and 19th ult. it was resolved, That the said lord-lieutenant be desired to come over, and give his attendance in parliament: and that the Council of State do prepare a letter to be sent to him for that purpose, to be signed by the Speaker; and at the same time to render him the Thanks of the house for his great service and faithfulness to the Common-wealth.—The same day, a Bill, which had been some time depending, for settling certain Lands upon Cromwell and his heirs, was reported to the house, and ordered a second reading.

Jan. 10. The house ordered their attorney-general to prepare a Patent to be passed under the great seal of England, appointing major-general Ireton to be President of the Province of Munster, he observing such Instructions as should be given him by the parliament, council of state, or the lord-lieut. of Ireland for the time being. As Cromwell's commission to the last-mentioned post was granted for 3 years, this advancement of his son-in-law must have been a prodigious addition to his influence and authority in that kingdom.

The House resolve upon a Style of Address to them from foreign Powers.] Jan. 30. Upon the lord Grey's report from the Council of State, That they had agreed that the Style to be used in all transactions with foreign Powers should run thus, 'Reipublicæ Anglicanæ Ordines,' unless the parliament thought fit to appoint any other: after debate it was resolved, "That, in all negotiations and transactions with foreign States, the Style or Title to be used should be 'Parliamentum Reipublicæ Angliæ:' that the lords commissioners of the great seal be required to pass, under the great seal of England, several commissions in common form, mutatis mutandis, to the two agents appointed by the Council of State, to be employed to Spain and Portugal: and that the style and title of every address to the parliament from foreign princes and states shall be 'The Parliament of the Common-wealth of England,' and no other style or title whatsoever."

Several Garrisons in Munster surrender to the Parliament's Forces.] Jan. 31. The house received Letters from the lord-lieutenant of Ireland, at Cork, advising that several Garrisons in Munster had surrendered to the Parliament's Forces without blood, or striking a stroke; and that the Army was in so good health that regiments which lately marched only 400 men, now marched 8 or 900; and that the horse were disposed of into garrisons.

A Council of State elected for the Year 1650.] Feb. 12. The time appointed for the continuance of the present Council of State, expiring the middle of this month, the house proceeded to the election of a new one for the next year; and first agreed, That the number of persons to act in this high station should not exceed 41. They next read over a List of the names of the present Council, and proceeded to vote every single person into the office or reject them, by putting the question upon each; when they were all re-elected except the earl of Mulgrave, lord Grey of Warke, and sir John D'Anvers.

Feb. 20. The filling up the vacancies in the Council of State gave occasion to much debate and many divisions of the house. At length, it was resolved, to elect 5 persons to be of this Council; when Mr. Chaloner, Mr. Gourdon, col. Morley, sir P. Wentworth, and lord Howard, were chosen, sir Henry Vane, sen. was rejected by a majority of 54 against 44, and the new earl of Pembroke without a division."

Feb. 25. Notice has been already taken, that the parliament had desired lieut. general Cromwell to come over into England; and this day it was ordered, That his Excellency have the use of the Lodgings called the Cockpit, the Spring-Garden, St. James's House, and the command of St. James's Park.

March. The Proceedings of the house in this month ran chiefly on private affairs, few matters of moment coming before them.

Kilkenny surrendered to the Parliament's Forces.] April 12. The house having received a Letter from col. Hewson, governor of Dublin, with advice of the Surrender of the city and castle of Kilkenny in Ireland, the Speaker was ordered to write him a Letter of Thanks, as an acknowledgment of his good services therein.

The Acts passed this month, worth our notice, were, one 'For Provision for Ministers, and other pious Uses.' Another was passed, 'For inflicting certain Penalties for Breach of the Lord's Day and other solemn days.' By which it was enacted, "That goods cried or put to sale on the Lord's Day, or Days of public Humiliation or Thanksgiving, should be seized: travellers, waggoners, &c. not observing those days, to forfeit 10*s.* Any writ, warrant, &c. executed on those days, to be of no effect, and the person offending to forfeit 5*l.* No person to use or travel with boat, horse, coach, or sedan, except to Church, upon pain of 10*s.* The like penalty for being in a tavern, ale-house, &c. dancing, or profanely singing on any of those days. Where distress could not be found sufficient to satisfy the respective penalties, the offender to sit in the stocks 6 hours."

An Act passed for suppressing of Incest, Adultery, and Fornication.] May 10. An Act was passed for suppressing the detestable Sins of Incest, Adultery, and Fornication. The most material clauses thereof were these; "That all persons guilty of Incest shall suffer

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death, without benefit of clergy; that incestuous Marriages shall be void, and the children illegitimate: that Adultery shall also be deemed felony, and punished with death: but this shall not extend to any man who, at the time of committing such offence, did not know the woman to be married; nor to any woman whose husband shall be 3 years absent from her, so as she did not know him to be living. In case of Fornication, both parties, for the first offence, were to suffer 3 months imprisonment without bail, and also give security for their good behaviour for one whole year after. Every common bawd, for the first offence, to be openly whipped, set in the pillory, and there marked with a hot iron in the forehead with a B; also to be committed to the house of correction for 3 years without bail, and until sufficient security be given for good behaviour during life: and the persons a second time found guilty of the last recited offences were to suffer death."

Gen. Cromwell returns from Ireland.] June 4. This day Cromwell, the parliament's victorious general and lord-lieutenant of Ireland, who had been sent for over, took his seat in the house; when the Speaker, by order, gave him Thanks, in an eloquent oration, as the Journals express it, for his faithful services; setting forth the great Providence of God in those great and strange works, which God had wrought by him as the instrument.

The Parliament appoint their standing Council.] June 6. The parliament having resolved to appoint a standing Council for the Commonwealth, they this day agreed upon sir Tho. Widdrington and serjeant Green for that purpose, by the title of 'Serjeants at Law, for the Commonwealth,' and Robert Reynolds, esq. to be their Solicitor-General.

A Bill ordered in against immodest Dresses of Women.] June 7. A Bill was ordered to be read the Friday ensuing, against the Vice of Painting, wearing black Patches, and immodest Dresses of Women: but no mention is made of it in the Journal of that day, nor in Scobel's Acts; from whence it seems the ladies had interest enough to nip this project in the bud.

Gen. Cromwell gives the House an Account of the State of Ireland.] June 11. All the members having been required to give their attendance this day by 9 in the morning, general Cromwell standing up in his place in the house, made a Narrative of the State of the garrisons and forces of the enemy in Ireland, and their interest there; and likewise of the parliament's forces, in garrison and in the field, their condition, in what employment they were, and under what commands. At the end of which it was resolved, "That it be referred to the Council of State to take care of sending such speedy Supplies of Money for Ireland, as shall be necessary for the carrying on of that work; and to see what money there is in present view that can be made effectual for that service, and how the obstructions against bringing it in may be removed. Also to consider by what ways and means the reduction and settlement of Ireland may be perfected to the best advantage and the future ease of the charge of this Commonwealth."

A Commissioner from the States of Holland and West-Friesland admitted to an Audience by the Parliament.] The same day a Commissioner from the States of Holland and West-Friesland, was admitted to an audience; where he delivered in his credentials, and the Desires of his Masters, in French, by word of mouth. Soon after, the house resolved to give an Answer to this Commissioner on a day appointed; when being come into the Court of Wards, and the house apprized of it, the serjeant was sent to attend him, together with the master of the ceremonies: being come within the door uncovered, he came up to the bar, the serjeant at arms attending on his right hand, and the master of the ceremonies on the left; where, after mutual compliments between him and Mr. Speaker, all the members standing, he sat down in a chair, placed at the usual place, on the north side of the house; and, being set, Mr. Speaker delivered this Answer unto him by word of mouth, viz. "The parliament of the Commonwealth of England have taken into their serious consideration what your lordship did lately deliver unto them in behalf of your Superiors, the high and potent lords the states of Holland and West-Friesland, unto which I am commanded, in their name, to return this Answer: The Parliament, both from the motives remembered in your lordship's Paper, and from many other reasons and experiences of their own, hath, ever since it pleased God to restore this Commonwealth to its just freedom, been so apprehensive of the common benefits apparently redounding to this nation, together with the high and mighty lords the States of the United Provinces, by a strict alliance between them, that they thought fit long since to employ for that purpose Walter Strickland, esq. a member of parliament, with Addresses as well to the States General, as to the High and Potent Lords the States of Holland and West-Friesland; which proceeding of theirs doth give a sufficient testimony on their behalf, that the fault hath not been in them if so desirable an union and friendship between the two Commonwealths hath not been attained.—And although the applications made by our said resident to the States General, on so friendly a subject, and for so good an end, have been hitherto neglected, and not so much as an audience yet given to him; which the parliament cannot but take notice of, as not understanding why the friendship of this Commonwealth should be of so small consideration with them: yet the parliament are so well satisfied with the deportment of the high and mighty lords the States of Holland and West-Friesland towards this Commonwealth and their said resident Walter Strickland, in the applications

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which he hath made on their part, and of the endeavours which the said high and potent lords, from time to time, have used with the other provinces, not only to prevent any misunderstanding, but to maintain all friendly and good correspondency between the two states, that they do the more chearfully and readily entertain what hath been propounded to them by your lordship; and do resolve to answer those assurances of friendship and neighbourly commerce which your lordship doth give on the behalf of your superiors, with most real returns of good acceptance; desiring, as an happy result from the same, that this Commonwealth and the States of Holland and West-Friesland may not only correspond together in a neighbourly and friendly commerce, but may at last grow up to so strict an union and alliance, as may be found necessary for the good of both.—And as there shall be occasion for your lordship to represent any further particulars concerning the interest of that province, or of any member thereof, whereunto there is no proper remedy applicable in the ordinary course of justice, the parliament hath empowered the Council of State to receive the same, and give such Answers from time to time as shall be requisite, and may witness the regard which this Commonwealth hath to the friendship of those by whom your lordship is deputed."—This being ended, Mr. Speaker, by the master of the ceremonies, delivered the same Answer to the Commissioner in writing, signed by the clerk: which having received, he returned a reply to this effect:—[Here follows an hiatus in the Journals, and we are left in the dark as to the Answer made by the Commissioner.]

The House resolve that Lord Fairfax and Gen. Cromwell should march with an Army into the North.] June 12. The house voted that the lord-general Fairfax and lieut. general Cromwell, lord lieut. of Ireland, should both be commanded to go upon the Northern Expedition. And that the Council of State do acquaint them with it, and take care for their speedy march towards Scotland.

The Lord General Fairfax declines accepting the Command in that Expedition.] June 25. The lord-commissioner Whitlocke reported from the Council of State, That they being acquainted by the lord-general Fairfax that some difficulties were upon him concerning the undertaking of the service required of him by the new Commission sent to him* from the parliament; thereupon the Council had appointed a committee to confer with his lordship for his satisfaction, which was endeavoured by them, upon a long debate with his lordship: the result upon which conference was to this effect; "That the lord-general doth conceive that, upon the new commission coming to him, the former commission of General is at an end, and he freed from that charge; and in regard of his own infirmities and want of health, and want of freedom to undertake this service as a new employment, and the greatness and weight of the charge, he humbly desired to be excused; and for that purpose intended to signify his mind herein unto the parliament."—Here follows another hiatus in the Journals, where, most probably, the lord Fairfax's real reasons for resigning his Commission were entered: but this deficiency is amply made up by Mr. Whitlocke in his Memorials, who has given a Narrative of the whole conference on this remarkable occasion between lord Fairfax and the Committee from the Council of State, of which himself was one.*

The Parliament pass a Vote of thanks to Lord Fairfax, for his faithful Services.] The same day that Mr. Whitlocke had reported to the house lord Fairfax's desire of resigning his commission, they resolved, That a committee be appointed to go to his lordship, and let him know the parliament's high esteem and good acceptation of those eminent and faithful Services, which have, by the blessing of God upon his endeavours, been by him performed for the Commonwealth, and that they are persuaded of his continued fidelity and affection.

It was also ordered, That all the Records belonging to the late house of Peers, be delivered to Mr. Scobell, the present clerk to the parliament.

The Parliament resolve to send an Army into Scotland forthwith: And publish a Declaration of the Justice and Necessity thereof.] June 26. The lord commissioner Whitlocke made another report from the Council of State, "That, in pursuance of the order of parliament, they had put an Army in readiness, and had given them orders to march northward: and that, upon mature consideration of what was required by the said Order, it was the opinion of that council, That they cannot prevent an Invasion from Scotland, but by the marching of an army into that kingdom" The justice and necessity of which expedition was set forth in a Declaration; a draught whereof was offered to the consideration of parliament. The said Declaration being read by parts, and every part put to the question, it was with some amendments agreed to, nem. con. Afterwards it was resolved, "That it was just and necessary for the Army of England to march into Scotland forthwith." The Declaration was also ordered to be printed and published, with several other Papers annexed thereto, under the inspection of the Council of State; to whom it was referred to take care for the stopping of all correspondency, intelligence, traffic, or commerce, between England and Scotland, as they should see cause.

The Parliament appoint Cromwell Captain-General on lord Fairfax's resigning his Commission.] The same day, the earl of Pembroke reported from the committee appointed to attend the lord-General Fairfax with the Vote of yesterday, That they had accordingly attended on him; and that his lordship returned his

* Memorials, p. 443.

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humble thanks to the parliament for their great favour and respects to him. The house being also informed that Mr. Rushworth, his lordship's secretary, was at the door, he was called in; and acquainted Mr. Speaker, That the lord-general had commanded him to present to the parliament the last commission he received from them; and likewise his first commission, if they pleased to command it: accordingly the last commission was delivered in. Next, it was resolved that Mr. Rushworth do likewise deliver in the first commission, which was done. After all this ceremony, an Act for repealing the Ordinance and Act of Parliament for constituting Thomas lord Fairfax captain-general and commander in chief of all the forces raised by their authority, was passed, and ordered to be printed and published; as was also another for appointing lieut.. general Cromwell to succeed his lordship in that important station*.

An Act passed against profane Swearing.] June 28. The only Act passed this month worth our notice, besides those above-mentioned, was 'For better preventing and suppressing of profane Swearing and Cursing,' whereby it was enacted, That every person styling himself a duke, marquis, earl, viscount or baron, should, for the first offence, forfeit 30*s.* a baronet or knight, 20*s.* an esquire, 10*s.* a gentleman 6*s.* 8*d.* and all inferior persons 3*s.* 4*d.* double for the second, &c. to the ninth; and for the tenth to be bound to the good behaviour. The like penalty on Women offending; a wife or widow to pay according to the quality of her husband, and a single woman that of her father. Penalties to be recovered by distress and sale of the offenders goods; and, in default thereof, the party, if above 12 years of age, to be set in the stocks; if under, to be publicly whipt.

Mr. Ascham, the Parliament's Agent in Spain, assassinated.] July. About the middle of last month Mr. Ascham, whom the parliament had sent as their agent into Spain, was assassinated at an Inn in Madrid, together with one signor Riba, his interpreter, by six Englishmen; who inquiring for Mr. Ascham, and being admitted to his chamber, as he rose to salute them, the foremost laid hold on him by the hair and stabbed him; whereupon the interpreter, endeavouring to make his escape, was stabbed by another. The murderers having fled for refuge to the Venetian Ambassador's house, who refused them entrance, they took sanctuary in the next church. When the parliament was informed of this affair by Mr. Fisher, their late Agent's secretary, they first ordered that a Letter should be written to the king of Spain, and signed by their Speaker, to demand justice on the murderers of Mr. Ascham. Next, sir H. Mildmay having reported from the Council of State, That (in regard of the said horrible assassination and murder, and also of several late advertisements they had received of divers persons being come into England with intention of like murder and assassination; and that some faithful persons to the state are particularly designed to be attempted upon) it was the said Council's opinion the house should be moved to take into consideration what they published, in their Declaration of the 18th of May, 1649, on occasion of the murder of Dr. Dorislaus; and give order that something may be done effectually in pursuance thereof, to discourage and deter such bloody and desperate men, and their accomplices, from the like wicked attempts for the future: hereupon, the house resolved that six of those persons who have been in arms against the parliament, not being admitted to composition, and are now in their power and at their mercy, be speedily proceeded against to trial for their lives, before the high Court of Justice, upon their former offences, on occasion of the horrid and execrable Assassination of Mr. Ascham, Agent from the parliament to the king of Spain, and of his interpreter.

Commissioners of Excise prohibited from holding any other Employment.] July 9. The house voted that no person, employed as a Commissioner of Excise, shall continue in any other public employment for which he shall receive any salary from the Commonwealth; nor trade or traffic in any commodity exciseable, during the time he shall continue a Commissioner of Excise.

The same day, the parliament received advice from Ireland, of a great Victory obtained there by the Parliament's Forces commanded by sir Charles Coote, against the Rebels, the 28th of June last, with a List of their Commanders slain or taken prisoners in the action; for which a Day of Thanksgiving was appointed to be held on the 26th instant.

Cromwell departs for Scotland.] June 29. The parliament were now so intent upon prosecuting their Expedition into Scotland, that this day, only 3 days after Cromwell's being appointed Captain-General of the Army, he set forward from London towards the North. When he arrived at York, the lord mayor, aldermen, and sheriffs attended on him, and invited him and his officers to dinner, where they were highly caressed. At Durham sir A. Hasilrigg, governor of Newcastle, with col. Pride, and other officers, met him, and attended him to that town, where he arrived on the 15th of July. During his stay there, a Fast was kept to implore God's blessing upon the Army's undertaking, and a Declaration agreed on to be dispersed in their march; which, being sent up to the parliament on the 19th, was by them ordered to be forthwith printed and published. It was intitled, "A Declaration of the Army of England upon

* Mr. Whitlocke attributes the great expedition made in passing these two Acts, to the contrivance of Cromwell's friends, who urged the ill consequences of the Army's being without a head; and adds, "That great ceremonies and congratulations of the new General were made to him from all sorts of people; and that he went on roundly with his business."

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their March into Scotland. To all that are Saints and partakers of the faith of God's Elect, in Scotland." Besides this Declaration of the Army, another was published by Cromwell, on his arrival at Berwick, addressed "To the People of Scotland."

The Parliament resolve to send Prince Henry and Princess Elizabeth out of England.] July 24. Sir H. Mildmay reported from the Council of State, "That it was their opinion, in regard of the many Designs now on foot, if any insurrections should happen, the public peace would be much the more endangered, by occasion of the late King's Children remaining here, who may be made use of to the prejudice of the public; which they left to the consideration of the house to provide such remedy therein as to their wisdoms shall seem meet." On which after some debate, it was resolved, "That Henry Stuart, third son to the late king, and the lady Elizabeth his daughter, should be removed forthwith beyond the seas, out of the Limits of this Commonwealth. And that it be left to the Council of State to consider of a fit place to remove them to, the manner of sending them thither, and of a fit maintenance for their support, during the pleasure of parliament."

August 1. Another Report was made to the house from the Council of State, "That they had intelligence from some who were in custody, and other concurrent testimonies, of a Design ready to break out, which would have been of imminent danger to the parliament, and all that adhere to them, if not timely prevented, many being engaged therein; and the discovery made by such as were in the design: That the Council, thereupon, had ordered all the horses to be seized, in the city and parts adjacent, to prevent use to be made of them by those who were concerned in this business; which, as they were informed, was near breaking out, but, as they hoped, might now be broken." The house approved of all the Council had done in the affair, but we hear no more of it.

An Act forbidding all intercourse with Scotland.] Aug. 2. An Act passed the house, inhibiting all trade, traffic or intercourse with Scotland, and for enjoining the departure of all Scotsmen out of the Commonwealth; which was ordered to be forthwith printed and published, and proclaimed by beat of drum and sound of trumpet.

Aug. 9. The custom of the house was frequently, at this time, to order the door to be shut, and no member to be suffered to go out, without leave, till 12 o'clock: and this day, after such an Order, the house passed a Bill intitled, 'An Act against several atheistical, blasphemous, and execrable Opinions, derogatory to the Honour of God, and destructive to human Society, now held and propagated in this nation.'

The Bill for the better Regulation of Parliaments dropped.] Aug. 14. All this time the Bill, long since brought in, for an equal Representative, and regulating Elections for Members of Parliament, was canvassed, in a grand committee of the whole house, every Wednesday; but, as yet, nothing was done in it. This delay plainly shews, that the present members had no mind to part with their power or places, and venture a dissolution of the parliament. Nay, it seems about this time, when the Army was so far distant from them, they had a design to drop the Bill; for, at the end of the debate this day, a motion being made, That the house be resolved into a grand committee this day se'nnight, upon the Heads of the said Bill, &c. it passed in the negative, and this day fortnight was agreed to instead of it. During all this debate the doors were ordered to be kept shut, as usual: and we find that this Election Bill, after being put off from time to time, was at last laid aside.

Waterford taken by the Parliament's Forces.] Aug. 27. A Letter from Ireland was received dated from the Camp at Waterford, August 12, 1650, and containing a narrative of the taking of Waterford, by the Parliament's Forces under general Ireton: after the reading of which, public Thanks were ordered to be given to God, the next Lord's Day, for these further Successes gained in that kingdom. A Declaration was ordered to be drawn up and published on that occasion; and likewise to be read in all congregations throughout the nation, immediately after the Psalm before Sermon, for the better stirring up the hearts of the people to praise God for this Victory.

Charles II. having published a Declaration in Scotland, the Parliament declare the abetting or publishing thereof to be High Treason.] Aug. 28. King Charles II. was to have been crowned in Scotland on the 15th of this month; but the ceremony was suspended on account of his refusing to sign a Declaration which the Scots parliament required of him, whereby he was to profess his repentance for all the blood shed in his father's time, and since by his own means; and to resolve to adhere, for the future, to the Cause of God, the Kirk, and the Covenant: however, the king was prevailed upon to sign it on the 16th; and a Copy thereof being sent up to the parliament, it was read in the house this day; a committee was also appointed to withdraw and consider of a Declaration to be printed and published thereupon. This was presently brought in and passed, as preparatory to an Answer at large, which was ordered to be drawn up by the Council of State. The previous Declaration runs thus:

"The parliament of England having seen and read a pamphlet, intitled, 'A Declaration 'by the King's Majesty, to his Subjects of the 'Kingdoms of Scotland, England, and Ireland, 'printed at Edinburgh, 1650,' do find therein a design of Charles Stuart, the declared king of Scotland, by the instigation of the State and Kirk of that kingdom, under a pretence of humiliation for his own and his father's opposition to the work of Reformation and Solemn

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League and Covenant, to seduce the people of this nation from their due obedience to this present government; and to invite them, by promoting his pretended interest here, not only to embroil this nation in new troubles, by a bloody and intestine War, (thereby, as much as in them lies, taking away all hopes of a settled Peace in this Commonwealth) but also to make themselves instrumental to inthral themselves again in tyranny and slavery, from which they have been, through the blessing and glorious appearances of God, so happily redeemed. And, however, the parliament have reason to believe, that no pious or judicious person can possibly be deluded under such gross deceits, to contribute such an assistance as in that Declaration is called for, and which would most undoubtedly end, if the Lord prevent it not, in the destruction of the truly godly in both nations, and the betraying of that cause that hath been engaged in by them; nevertheless, they have resolved, for the better information and satisfaction of the people of this land, more largely and particularly to unmask and discover the hypocrisy and wicked design lodged under the specious pretences in that Declaration; and, in the mean time, do enact and declare, That all persons whatsoever who shall abet or countenance the said Declaration, by printing or publishing the same, or by promoting or prosecuting the design or ends therein contained, are hereby adjudged to be guilty of High Treason, and shall be proceeded against as Traitors."

Great Victory obtained by General Cromwell near Dunbar.] Sept. 7. This day advice came of a great Victory gained by the English Army under Cromwell near Dunbar on the 3d, in which the Scots were entirely routed. When this important news arrived, the house was adjourned, according to their late usual custom, from Friday to Tuesday: hereupon the Council of State ordered a brief Narrative of this action to be immediately printed, and read the next Sunday in all the Churches in and about London, that the people might return Thanks to God for his signal mercy to the Commonwealth.

Annexed to General Cromwell's Narrative of the Battle was a List of the names of the Scots officers taken prisoners in this action: They consisted of one lieut. general, 3 colonels, 11 lieut. colonels, 9 majors of horse and foot, 47 captains of horse and foot, 7 captain lieutenants of horse and foot, one adjutant general, 70 lieutenants of foot, 12 cornets, 4 quartermasters of horse, and 78 ensigns. About 3000 of the enemy were slain and 9000 taken prisoners.

Hereupon, the house resolved, That the Council of State should give orders for prosecuting the war in Scotland in the most effectual manner, and prepare all necessaries of men, money, provisions, medicines, surgeons, &c. for that purpose: that the 8th of Oct. be set apart as a Day of publick Thanksgiving for this great Victory, which God had vouchsafed to the Parliament's Forces: that all the colours, both of horse and foot, now brought up from the Scot's Army, together with those taken at Preston, when they invaded England in 1648, be inventoried, with their respective motto's and devices, by the clerk of the parliament, and hung up on each side of Westminster-Hall, as a monument of this great mercy, to posterity: that the Council of State do prepare a Letter to be signed by the Speaker, and sent to the Lord General, in the name of the parliament, taking notice of his eminent services, with the special acknowledgment and thanks of the house; and that his Excellency be therein desired to return their Thanks also to the officers and soldiers of the Army; and that a number of gold and silver medals be distributed amongst them.

Death of the Princess Elizabeth.] Sept. 11. A report was made from the Council of State, That, in pursuance of the late Order of parliament for sending the two Children of the late King out of the Commonwealth, the Council had sent them to the Isle of Wight: that the lady Elizabeth was at present indisposed; that she had some inclination to go to her sister, the Princess of Orange, which the Council think fit she should; and that, for her maintenance, she be allowed 1000*l.* a-year, paid half-yearly, so long as she shall behave herself inoffensively to the parliament and Commonwealth, and half a year's allowance beforehand; and that, in the mean time, until she could be shipped away, her maintenance and transportation might be provided for by the committee of the revenue.—But, whilst the report was making concerning this provision for the unhappy Princess, we are told, by the Journals, That the house was informed the lady Elizabeth was dead. She died at Carisbrooke-Castle, in the Isle of Wight, within a week after her and her brother's arrival in that place. The house, on this information, gave orders to the committee of revenue for her interment in the said Island, and for providing mourning for her brother Henry, his servants now with him, and the servants of the said lady.—Another part of the Report related to the young Prince Henry; that he should be sent by some ship to his brother in Scotland, and to have 1000*l.* a-year, paid half-yearly, for his maintenance, so long as he should behave himself inoffensively to the Commonwealth. But this advice was rejected by the house; and, after some debate, it was resolved that 1500*l.* a-year be allowed from the Commonwealth, unto Henry the 3rd son of the late King, for his maintenance; and that he be sent to be brought up and educated in the University of Heidleburgh.

Sept. 17. An Answer to the king's Declaration from Scotland was this day presented and read, first at large and afterwards by parts; and each part being put to the question, was assented to, with some amendments; on which a division of the house happened, (if we may call that a house which consisted only of

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96 members, 20 against 16) and the debate was put off to next day; when the Answer, after some more amendments, at the table, was passed, and ordered to be printed and published, together with the king's Declaration, paragraph by paragraph.

Sept. 20. The house being informed that Mr. Rushworth, secretary to the Lord-General in Scotland, was at the door, he was called in, and made a Relation of the State and Condition of the Parliament's Army in that kingdom. Cromwell had now followed his blow at Dunbar so well as not only to take Leith and Edinburgh, but had likewise laid siege to the Castle.

An Assessment of 120,000*l. per Mensem voted for carrying on the War in Scotland.*] Sept. 25. The house having made an Order to go upon nothing but money-matters for a week, this day the Council of State delivered in a Paper from the Treasurers at War, signifying, that, in pursuance of the Parliament's orders, they had considered of the sending men and provisions for carrying on the public service in Scotland, which would speedily be ready, unless money were wanting for the payment of them. Hereupon it was resolved, that 400,000*l.* be charged upon the whole nation, to be proportionably laid upon the several counties; and that the repayment thereof be secured by monies to be raised by the sale of Fee-Farm rents. But this proposal was afterwards dropped; and, instead thereof, a bill was ordered in for levying 120,000*l.* per mensem, for 4 months, according to the same proportions as the former assessment of 90,000*l.*

Barbadoes, and other Plantations in the West Indies, revolt from the Parliament.] Oct. 3. About this time the Island of Barbadoes had revolted from the parliament, and was followed by others of the Leeward Islands, which occasioned an Act to be passed this day for prohibiting all Commerce and trade to the Barbadoes, Antigua, Virginia, and Bermudas, or the Summer Islands. It was also ordered, that the Council of State be authorized to give orders to the generals at sea, for detaining all such ships as they shall find trading to those parts, until they shall have given an account thereof to the parliament or Council. And a strong fleet, with a number of transports, was ordered to be dispatched away with all possible speed, for reducing the Island of Barbadoes, and all other English Plantations that should persist in opposition to the government of this Commonwealth.

The Bill touching future Elections revived.] Oct. 23. The parliament revived the Bill, so long dropt, concerning the future Election of Members to sit in that House; and this day ordered that each Wednesday in every week, the house should be resolved into a grand committee upon it. It was also resolved, that the said committee should state the Proportions of Elections for the several counties; and consider how, and in what manner, the same might be made practicable for filling the house with members according to those several Proportions.

Act against observing Saints Days in Term.] November 5. The house had ordered an Act to be brought in for taking away the superstitious Observation of All-Saints-Day, and other days in Term not juridical, and making them Court-Days; at the same they ordered the 5th of Nov. to be no Court-Day. Accordingly, the parliament met on that day, and, having adjourned to the next, they went to Margaret's Church, Westminster; where a sermon was preached by Mr. Nye, who had the Thanks of the house ordered him for his great pains taken therein.

November 8. A motion had been made in the house for converting the Law into English; and accordingly this day, the lord commissioner Whitelocke brought in a bill, 'For turning the Books of Law, and all Process and Proceedings therein, into English;' which was read a first and second time, and committed. On the 22d, the said bill was read a third time and passed.

Victory gained by the Parliament's Forces, over the Marquis of Clanrickard, in Ireland.] Nov. 26. A letter of advice of a great Victory obtained by the Parliament's Forces in Ireland, addressed to the President of the Council of State, was this day read. This intelligence was so highly acceptable to the house, that they not only ordered it to be printed, but also resolved that public Thanks be given to Almighty God, on the Lord's Day next ensuing, in all churches and chapels in and about London, for his great mercy in vouchsafing so signal and seasonable a Victory to the Parliament's Army against the bloody Rebels in Ireland.

The Proceeding at the Trial of the late King, ordered to be entered on Record.] Dec. 22. The house had ordered, some time ago, that the Proceedings of the High Court of Justice, for the Trial of the late King, should be laid before them: accordingly, this day, Mr. Say reported the Records thereof, which were read, at large, by the clerk, viz. The Act for Trial of the King; the Precept for the Trial; the Charge against the King, exhibited, received, and read January 20, 1648, and the Sentence against him on the 27th of that month. After which it was resolved, 1. "That the parliament doth declare, That the persons intrusted in this great service, of the Trial of the late King, have discharged the trust in them reposed, with great courage and fidelity: and that the parliament is well satisfied in this Account of the Particulars, and Proceedings thereupon, and do approve thereof; and order that the same be recorded, to remain among the Records of Parliament, for the transmitting the memory thereof to posterity. 2. That all the said proceedings be engrossed, and recorded among the Parliament-Rolls. 3. That the lords commissioners for the great seal of England do issue forth a certiorari to the clerk of

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parliament, to transmit the said Proceedings into the chancery, to be there kept of record; and that the same be transcribed, and sent by Mittimus from thence into the Courts of the Upper Bench, Common Pleas, and public Exchequer; and also to the Custos Rotulorum in the respective counties of this Commonwealth, to be recorded in each of them."

The Spanish Ambassador admitted to an Audience of the Parliament.] Dec. 24. The Speaker acquainted the house, that the Secretary to an Ambassador lately come from Spain, had attended him, and delivered to him copies of his Letters credential in Latin, and a translation thereof in English; which being read, it was resolved by the parliament, That the Lord Ambassador of the king of Spain should have audience in the house; and that sir Oliver Fleming, master of the ceremonies, do attend him thither on the 26th. Accordingly, on the day appointed the Spanish Ambassador, Don Alonso de Cardenas,* was admitted to an Audience, with the following ceremonies: The house being informed by their serjeant, That the Lord Ambassador from the king of Spain, attended to present himself to the parliament, the serjeant with his mace, went to conduct his excellency into the house. So soon as the Lord Ambassador was entered, he uncovered himself: and Mr. Speaker and all the members stood up bare. When his excellency was come as far as the bar, the master of the ceremonies and the serjeant attended him, the one on the right hand and the other on the left, until he came to the chair appointed for that purpose, which was placed on the north side of the house, upon a Turkey carpet, with a cushion in it, and a foot-stool before it. After a few words addressed to Mr. Speaker, the Ambassador presented his Letters Credential; which being delivered, by the master of the ceremonies to Mr. Speaker, his excellency declared the substance of his embassy; which was to express the king of Spain's great desire of establishing a peace and good correspondency with the Common-wealth of England: he likewise delivered a copy in English, of what he had before expressed by word of mouth, and two other Papers mentioned in his speech.—Mr. Speaker having informed the Ambassador, by the master of the ceremonies, that he would acquaint the parliament with the purport of his embassy, his excellency, attended in the same manner as before, withdrew. Then the Letters Credential, in Latin, under the hand and seal of the king of Spain, were read; the superscription whereof was, 'Parliamento Reipublicæ Angliæ,' and subscribed, Philippus.

Dec. 27. The Speaker informed the house, That he had received a Letter from Joannes de Guimaraes, a public minister from the king of Portugal, directed thus, 'Illustrissimo Domino, Domino Oratori Parliamenti Reipublicæ Angliæ;' also copies of his Letters Credential, in Latin, Portuguese, and English, inclosed in another Paper inscribed, 'Parliamento Reipublicæ Angliæ.' All these being read, the house appointed a committee to consider of the manner of giving audience to the Portuguese minister, and also all ambassadors, agents, and other public ministers, and to report their opinion thereupon to the house.

Surrender of Edinburgh Castle to the Parliament's Forces.] Dec. 31. By a Letter received from general Cromwell, and read in the house this day, he informed the parliament of the Surrender of Edinburgh Castle. The Articles thereof were inclosed, and several Papers which passed between Walter Dundas, esq. the Governor, and himself, relating to that Surrender.

Upon which, the house resolved (as if it were to shew the present king of Scotland, and the royal party there and elsewhere, in what great contempt they held them) that the 30th of January ensuing be set a-part as a Day of public Thanksgiving, to be observed through the whole nation, for the great mercies of God vouchsafed to the Common-wealth, both by sea and land, and carrying on the affairs thereof with so great success; and in particular, in the Rendition of the Castle of Edinburgh; the defeat of the Scots forces in the west of Scotland, by the parliament's forces under the command of major-gen. Lambert; as also in the discovery of the late horrid Design, here at home, to raise a new war.

Resolutions touching the Manner of receiving Foreign Ministers.] January 1. We have lately taken notice of a Committee's being appointed to consider of the Reception of Ambassadors, Agents, and other public Ministers from foreign Princes; the proceedings of this month begin with a Report made from that Committee, consisting of the following Resolutions, which were agreed to by the house: 1. "That Ambassadors, Ordinary, and extraordinary, sent from Common-wealths, Kings, Princes, and States, be admitted to public Audience in Parliament, so often as the parliament shall think fit. 2. That all other public ministers, under the quality of Ambassadors, have audience by a committee of parliament, sent out of the parliament for that purpose; who are to return and tender their report before the house rise. 3. That the day and hour be appointed by parliament, at which time the master of the ceremonies is to conduct such public minister to the place lately called the Inner Court of Wards; and then immediately to certify the parliament thereof. 4. That the late house of lords be the place for the committees of parliament to give Audience in, and to be fitted up for that purpose. 5. That it be referred to the Council of State to take

* Lord Clarendon gives a very minute and particular account of the occasion of the king of Spain's sending this ambassador into England, and of the fruitless negotiation of lord Cottington and himself on behalf of king Charles II. after above a year's residence in that kingdom. History, vol. v. p. 301, et seq.

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especial care to provide convenient hangings for this house, and for the Inner Court of Wards; and that the suit containing the Story of 1588, be reserved for the service of the state, and hung up in the late house of lords; and that all such other accommodations be made, as are necessary for the uses above voted. 6. That Audience be given to the public minister from Portugal, the ensuing Tuesday, at 10 in the morning, by a committee of parliament, according to the foregoing general Rules for giving Audience; and that sir Oliver Fleming give him notice thereof."

The Portuguese Agent admitted to an Audience.] Jan. 10. We have lately given the parliament's manner of receiving the Spanish Ambassador, we shall now see how the Portuguese Agent was admitted; which was by a committee of 11 members appointed for that purpose. It seems the parliament had been disgusted at the king of Portugal, for allowing great liberties to Prince Rupert and the Fleet under him, to man and victual in all his ports: and admiral Blake had orders to sink and take the Portuguese ships wherever he met them; by which means the Brazil fleet fell into his hands. Hereupon, all the English merchants were seized in Portugal; but on the news of the great victory gained by the parliament in Scotland, the Portuguese king thought proper to release the merchants, and send an Agent to England, the manner of whose Audience was thus reported to the house by the lord commissioner Whitlocke:—"The committee appointed for that purpose met, on the 10th of this month, in the late house of lords; and the Agent from Portugal, attended thither by the master of the ceremonies, the committee being set, came in uncovered; whom the committee received with the like compliment; and, after mutual salutations performed, he sat down in a chair appointed for that purpose, and, covering his head, the committee did the like: then the lord commissioner Whitlocke, their chairman, declared to the Agent, that they were authorized by the parliament to give him audience, and the order for that purpose was read. Notice being also given him by the master of the ceremonies, to whom he should address himself, the Agent presented his letters credential from the king of Portugal; and, by word of mouth, declared to the committee, in the Portuguese language, the grounds and ends for which he was sent; which he likewise presented to them, in writing, both in Latin and English: and being, with the like attendance, withdrawn, it was ordered that the Council of State do prepare all papers, letters, and matters concerning the transactions between the parliament of England and the king of Portugal, from first to last, to be reported to the house."—The same ceremony of introduction was used when these public ministers received their Answers. But neither the reason of their mission, nor the Answers given to them by the house, are entered in the Journals.

The Parliament appoint Ambassadors to the States General.] As the parliament received these testimonies of recognition from foreign states, so they thought proper to send out ministers of their own; and Oliver St. John, esq. formerly solicitor-general to the late king, but now lord chief justice of the common pleas, with Walter Strickland esq. their late agent in Holland, were constituted ambassadors extraordinary to the United Provinces. The Council of State were ordered to provide their credentials, instructions, &c. and all other things necessary for that service, with due respect to the honour of this Common-wealth. —However, a few days after, a Petition was presented by Mr. St. John, praying to be excused from this embassy. The Journals make no mention what were the allegations of this Petition, but we are informed by one of the Diaries* of these times, that the chief justice urged his present indisposition, and the opinion of his physicians that the air of Holland would be prejudicial to his health; though it seems as if the house looked upon this merely as a pretence; for, upon a division, it was resolved, by a majority of 42 against 29, that he should go: and it is highly probable the true reason was, that he dreaded the fate of Dorislaus, the parliament's first Agent to the States.

Jan. 14. This day several extracts of Letters from Cromwell and Lambert to the Council of State, dated from Edinburgh the 4th and 8th of this month, intimating a design of the Scots to attempt an Invasion of England, were read in the house:

A new Council of State elected.] Feb. 1. The proceedings of this month begin with the annual election of a new Council of State. Upon this occasion the house was much fuller than ordinary, there being 121 members present. This affair took up several days, and ended in a Resolution, that the number of that council for the year ensuing be 41, to be elected by ballot; of which only 21 to be chosen out of the present members thereof, and 20 new ones. Of the old members the following were re-elected, viz. the lord chief justice Rolle, the lord chief justice St. John, Mr. serj. Bradshaw, the lord general Cromwell, major-gen. Skippon, sir Wm. Masham, lord commissioner Whitlocke, sir A. Haselrigge, sir James Harrington, sir H. Vane, Dennis Bond, esq. sir Wm. Armyn, col. Wauton, sir H. Mildmay, col. Purefoy, lord commissioner Lisle, Tho. Scot, esq. John Gurdon, esq. lord Grey, sir Gilbert Pickering, and Tho. Chaloner, esq. The new members were, Rd. Salway, esq. alderman Allein, of London, Robert Goodwyn, esq. Wm. Lemman, esq. major-gen. Harrison, Edm. Prideaux, esq. Attorney-General, sir Tho. Widdrington, John Carew, esq. sir John Bourchier, sir John Trevor, lieut. gen. Fleet-

* Nouvelles Ordinaires de Londres, published by authority every Thursday, in French, by William Du-Gard, Printer to the Council of State, for the information of foreigners.

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wood, Henry Darley, esq. Tho. Lister, esq. Wm. Cawley, esq. Walter Strickland, esq. Nicholas Love, esq. Wm. Say esq. John Fielder, esq. George Thompson, esq. and sir Wm. Brereton, bart. Gualter Frost, esq. was elected Secretary, and to take an oath not to reveal any of the proceedings of the Council without their order.

March 4. The house appointed a day for seeking of God, by solemn Fasting and Humiliation, to be observed through the whole nation. The parliament, the cities of London and Westminster, and all places within 10 miles thereof, kept this Fast on the 13th inst. and the rest of the nation on the 2nd of April; but what the Preachers before the house had done to displease them we know not, for, on a motion the next day, That Thanks be given to the Ministers that preached yesterday before the parliament, it passed in the negative.

Gen. Cromwell's Letter on occasion of his late Illness.] April 1. Last month the Council of State having received advice that the lord-general Cromwell was much indisposed, had sent two physicians into Scotland to attend on him. And this day the following Letter from him to serjeant Bradshaw, lord president of that Council, was communicated to the house and read:

"Edinburgh, March 24, 1650-1.

"My lord; I do, with all humble thankfulness, acknowledge your high favour and tender respect of me, expressed in your letter, and the express sent therewith to inquire after one so unworthy as myself. Indeed, my lord, your service needs not me; I am a poor creature, and have been a dry bone, and am still an unprofitable servant to my Master and to you: I thought I should have died of this fit of sickness; but the Lord seemeth to dispose otherwise. But, truly my lord, I desire not to live, unless I may obtain mercy from the Lord to approve my heart and life to him in more faithfulness and thankfulness; and those I serve, with more profitableness and diligence. And I pray God your lordship, and all in public trust, may improve all those unparalleled experiences of the Lord's wonderful workings in your sight, with singleness of heart to his glory, and the refreshment of his people, who are to him as the apple of his eye, and upon whom your enemies, both former and latter (who have fallen before you) did split themselves: this shall be the unfeigned prayer of my lord, Your most humble servant, O. CROMWELL."

Resolutions of the Parliament concerning Affronts offered to their Ambassadors at the Hague.] April 11. This day more Papers, from the parliament's Ambassadors in Holland, and two intercepted Letters, were read; upon which the house passed the following Resolutions: 1. "That the parliament doth approve of what the Ambassadors Extraordinary to the General Assembly of the States of the United Provinces, have done upon the Affronts offered to them. 2. That the parliament do approve of the direction given by the Council of State to the said Ambassadors Extraordinary, touching their return. 3. That it be referred to the Council of State, upon the debate now had in the house, on this report, to give such orders and directions as they shall think fit, for the honour of this Commonwealth and safety of the Ambassadors. 4. That the debates of the house this day, and the Votes thereupon, be not made known to any person: and that the members of the house, and the officers thereof, be enjoined secrecy therein for 21 days."

In order to discover the reason of these extraordinary Resolutions, we must have recourse to the Contemporary Writers and Diaries of the times.* These authorities inform us, That many affronts and insults were offered to the parliament's Ambassadors at the Hague, by the royalists, of which they give the following instances; Mr. Strickland's coachman and another of his servants were attacked by six cavaliers, at their master's own door; the former of whom received a cut upon his head, and the other lost his sword in the fray. The threats ran so high that this Ambassador's domestics were obliged to keep constant watch in his house by turns. A design was formed to assassinate Mr. St. John; and an attempt made to break into his chamber. Prince Edw. one of the queen of Bohemia's sons, walking in the Park at the Hague with his sister, and meeting the Ambassadors in their coach, called out to them, in a taunting manner, 'Oh you Rogues, you Dogs!' with many other high expressions of his resentment and indignation. But the most remarkable instance was a kind of rencounter between the duke of York and Mr. St. John, which is related to the following effect, by a French Writer†, who gives it us on the authority of a gentleman, resident in Holland when the affair happened. "Mr. St. John, taking a walk in the Park at the Hague, unexpectedly met the Duke on foot, neither of them recollecting each other till they came up almost face to face. This Ambassador of the Commonwealth, thinking it beneath his dignity to give way to an exiled Prince, kept his ground; which the Duke resenting, snatched Mr. St. John's hat off his head, and threw it in his face with a 'Learn, Parricide, to respect 'the Brother of your King'; to which the Ambassador immediately retorted 'I scorn to ac-'knowledge either you, or him of whom you 'speak, but as a Race of Vagabonds.' Hereupon the Duke instantly clapt his hand to his sword; and, in all probability, the dispute would not have ended without bloodshed, had not the company upon the walk interfered and parted them." Complaint being made of all

* Whitlocke's Memorials, p. 463. Mercurius Politicus, No. 44, 45, 46. Several Proceedings of Parliament, No. 79, 80, 81. Sir Edw. Nicholas's Letters, in Mr. Carte's Collections, 8vo. Vol. i. p. 427, Vol ii. p. 2.

† Histoire d' Olivier Cromwell, par Raguenet. 4to. Paris, 1691, p. 261.

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these matters to the States, they remonstrated to the queen of Bohemia, and the Princess Dowager of Orange, against the behaviour of the two Princes. They offered a reward of 200 guilders for discovery of the other offenders, and published a very strict Proclamation for the punishment of all such as should hereafter offer any violence to the persons or privileges of Ambassadors or Agents from foreign powers. But all this the new Commonwealth of England were so far from looking upon as a sufficient satisfaction to their injuried honour, that they soon after recalled their Ambassadors.

Votes in relation to the Dispute with Portugal.] Several days in this month, were taken up in carrying on a Treaty with the Portuguese Agent, and settling the disputes, on the matter lately mentioned, between the two powers. The whole of it is much too large and intricate for our purpose; but the following Resolutions of parliament, at the end of it, are too remarkable to be omitted:—Resolved, 1. "That if the Demands and Propositions now agreed on to be given in to the public minister of Portugal, be not by him consented unto within the six days limited, they, or any of them, are not to be obligatory on the part of the parliament. 2. That the several Votes on this subject be Instructions to the Council of State, in their giving in to the public minister of Portugal the final Resolution of the parliament on the Treaty that hath hitherto passed between them and the said public minister; and of demanding from him his Answer to the several Resolutions of parliament, within the time limited by the house: which they are hereby authorized and required to do, and to report their proceedings therein to the parliament. 3. That such Englishmen as have eminently suffered in Portugal, in their persons or estates, for their good affections to the parliament, shall be taken into particular consideration by the house, for a further reparation to be given to them, out of the estates of such other Englishmen (in the power of the parliament) as have there adhered unto, or assisted, Rupert or his party, over and above the provisions made for them in the Articles betwixt this Commonwealth and the public minister from the king of Portugal."—According to these Resolutions the Portuguese Agent returned two several Answers to the house, but each of them was voted unsatisfactory, and 3 days time only allowed to give in another.

May 1. There is a multiplicity of matters of various sorts, entered in the Journals about this time, but very few of moment enough for our notice.—The Portuguese Ambassador gave in his third Answer within the Time limited, which was also voted unsatisfactory; and three days more allowed him for another. At the end of which, the house being not yet satisfied with the Agent's Answer, he was ordered to depart the territories of the Commonwealth within 14 days; the ships and goods of the Portuguese were declared to be lawful prize; and the Council of State were ordered to consider how the English merchants and others, prisoners in Portugal, might be set at liberty.

May 9. All the Lodgings at Whitehall, the Mews, and Somerset House, were ordered to be divided into Apartments, and fitted up for the use of the Members of Parliament, with the best conveniences those places would afford respectively; also to remove the soldiers and such other persons and families from them, as a committee should think fit.

May 27. General Cromwell sent word, that the air of Scotland did not agree with him; and desired to remove himself to some part of England, until, by the blessing of God upon means used, he might be restored into a condition of health and strength to return to the Army; and, in the mean time, disposing the management of affairs there into such hands as he should think fit. All which was granted.

A Charge of Bribery exhibited against Lord Howard of Escrick.] June 25. There had been, some months since, a Complaint exhibited in parliament against Edward lord Howard of Escrick, a peer of the realm, but now a member of the house of commons for the city of Carlisle. The Witnesses against him had been examined strictly by a committee of the house appointed for that purpose. The circumstances of the Charge are not particularized in the Journals: however, Mr. Ludlow in his Memoirs, explains this matter at length, which we shall therefore give in his own words:*—"Before I left the parliament, [to go into Ireland] some difference happening between the countess of Rutland and the lord Edward Howard of Escrick, col. Gell, who was a great servant of the countess, informed major-general Harrison, that this lord, being a member of parliament, and one of the Committee at Haberdashers-Hall, had taken divers Bribes for the excusing Delinquents from Sequestration, and easing them in their Compositions; and that, in particular, he had received a diamond hatband, valued at 800*l.* from one Mr. Compton, of Sussex; concerning which he could not prevail with any to inform the parliament. Major gen. Harrison, being a man of severe principles, and zealous for justice, especially against such as betrayed the public trust reposed in them, assured him, 'That if he could satisfy him that the fact was as he affirmed, he would not fail to inform the parliament of it.' Upon satisfaction received from the colonel touching that matter, the major-general declared in the house, 'That though the honour of every member was dear to him, and of that gentleman in particular, naming the lord Howard, because he had so openly owned the interest of the Commonwealth, as to decline his peerage, and sit upon the foot of his election by the people; yet he loved justice before all other things, looking upon it to be the honour of parliament, and the image of God upon them; and therefore

* Memoirs, vol. i. p. 334.

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he durst not refuse to lay this matter before them, though he was very desirous that the said lord might clear himself of the accusation.' The parliament having received this information, referred the consideration of the matter to a committee, where it was fully examined; and notwithstanding all the art of counsel, learned in the law, who are very skilful in putting a good appearance upon a bad cause, and all the friends lord Howard could make, so just and equitable a spirit then governed, that the committee represented the matter to the parliament as they found it to be."—Mr. Ludlow then proceeds to the Sentence against the lord Howard: but this being more amply set forth in the Journals of this day, we shall give it from those authorities: "Resolved, That upon consideration of the several Charges against Edward lord Howard of Escrick, and the Proofs reported, and his Answer and Defence thereupon, the parliament doth, upon the whole matter, declare and adjudge him guilty of Bribery; That the said Edward lord Howard be discharged from being a member of this parliament, and for ever disabled to sit in any parliament; and from bearing any office or place of trust in this Commonwealth: That he be fined 10,000*l.* committed to the Tower during the pleasure of the parliament: and that he do attend at the bar of the house, and, upon his knee there, receive this judgment."—The lord Howard was released from his Imprisonment in the Tower, on the 6th of August following; and on the 5th of April 1653, the Fine of 10,000*l.* imposed upon him, was ordered to be discharged.

July 1. This day the parliament received a letter from major-general Lambert, giving an Account of the continued Successes of their Forces in Ireland.

The late Ambassadors to the States General give the House an Account of their Negotiation.] July 2. We have before taken notice of the parliament's Ambassadors to the States General being recalled: This day they took their seats in the house, when the lord chief justice St. John, Mr. Strickland, standing by him, gave an Account of their Negotiation, beginning with the particulars of their reception at the Hague; and presenting the several Papers delivered in on either side, in the business of the Treaty: they also declared the occasion of them, with the several passages and occurrences which passed between them and the Assembly of the States, and the Letters re-credential from the said Assembly, in French, directed thus: 'Au Parlement de la Republique d'Angleterre.' These several Papers being read, it was resolved, That the Parliament doth approve of all the proceedings of the Lords Ambassadors in this Negotiation; and that they have the Thanks of the house for their great and faithful services therein; which the Speaker gave them accordingly. The same compliment was also paid to the gentlemen that attended them abroad, for their services to the parliament, and the respect shewn to their Ambassadors.—Thus ended this fruitless Embassy, which Mr. Ludlow,* accounts for in this manner: "This Negotiation was designed to procure a nearer conjunction and coalition between the two States, but it proved ineffectual; the province of Holland being not so much inclined to consent to it as was expected, and Frizeland, with most of the rest of the provinces, entirely against it; presuming that such a conjunction, as we demanded, would be no less than rendering those countries a province to England: so that our Ambassadors having used all possible means to succeed in their business, and finding the Dutch unwilling to conclude with us whilst the king had an army in the field, returned to England, without effecting any thing but the expence of a great sum of money. This disappointment sat so heavy upon the haughty spirit of the lord chief justice St. John, that he reported these transactions with the highest aggravations against the States; and thereby was a principal instrument to prevail with the Council of State to move the parliament to pass an Act prohibiting foreign ships from bringing any merchandizes into England, except such as were of the growth or manufacture of that country to which the said ships did belong. This law, though just in itself, and very advantageous to the English nation, was so highly resented by the Dutch, who had for a long time driven the trade of Europe by the great number of their ships, that it soon proved to be the ball of contention between the two Nations." This Account of Mr. Ludlow is confirmed by another Contemporary,† who adds, "That when the States Commissioners came to take their leave of the parliaments Ambassadors, Mr. St. John gave them these parting words: 'My lords, you have an eye upon the event of the affairs of the kingdom of Scotland, and therefore do refuse the friendship we have offered: now I can assure you that many in the parliament were of opinion that we should not have come hither, or any ambassadors been sent to you, before they had put an end to the contest between themselves and that king; and then expected your ambassadors to us. I now perceive our error, and that those gentlemen were in the right: in a short time you shall see that business ended; and then you will come to us, and seek what we have freely offered, when it shall perplex you that you have refused our proffer." All which was verified by the event.

The news from Scotland, this month, amounted to little more than that the King's Army remained in their fastnesses, industriously avoiding an engagement, though Cromwell continued to use his utmost efforts to provoke them to it; their aim being to keep the English in play till the winter's scarcity of provisions for their horse should force them to return to their own country.

* Memoirs, vol. i. p. 345.

† Heath's Chronicle of the Civil Wars, p. 287.

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Cromwell gains a great Victory over the Scots in Fife.] July 25. The parliament received, from the lord-general Cromwell, advice of a great Victory obtained over the Scots in Fife, by a detachment of their forces, under the command of major-general Lambert. After reading the said Letter the house ordered, That, the next Lord's Day, the ministers of London, the late lines of communication, and bills of mortality, do render Thanks to Almighty God for his wonderful mercy in this great Success given to the parliament's Forces in Scotland, on the 20th instant; and implore the continuance of God's blessing upon the proceedings of the Forces of this Commonwealth there, and the perfecting of his own Work to his praise.

Aug. 9. p. m. The Council of State received, by an express from Mr. George Downing, dated from Newcastle the 7th, a Relation of the Progress of the Parliament's Forces in Scotland; and advising, That the king had wholly abandoned that kingdom, and in despair, with what forces were left with him, marched into England; part of the Parliament's Forces being in his van, and the lord general Cromwell following in his rear. The house being adjourned for 4 days, the Council thought this intelligence so important, that the next morning after the receipt thereof, though on a Sunday, they published Mr. Downing's Narrative; and wrote a Letter to the lord mayor, desiring it to be read in the congregation where his lordship should attend divine service on that day.

Aug. 12. The proceedings of this day abound with instances of the vigorous resolutions of the parliament, touching the Invasion of the Scots; for, besides the Votes of the house already mentioned, they passed no less than three several Acts for the support of their new Commonwealth against the present threatened danger; viz. 1. An Act empowering the Commissioners of the Militia, to raise Forces and Money; and for reviving all Commissions formerly granted by Ordinance of Parliament, or the Council of State, to any Colonels, &c. 2. An Act containing Instructions to the Commissioners of the Militia; and 3. An Act for declaring it High Treason to hold any correspondence with the king.

Aug. 21. The house received intelligence, That the Scots Army lay on the 17th at Northwich, and the next day advanced between Nantwich and Chester; and that major-gen. Lambert and the Forces with him were chearfully followed by the officers and soldiers of the Cheshire and Lancashire militia of foot; who, upon this emergency, (though their harvest was ready to cut) promised not to leave them till they either should be properly dismissed, or the Lord put a seasonable issue to this business.

Aug. 23. This day the house received intelligence from the majors general Lambert and Harrison dated the 22nd, That the Scots Army lay the night before at Tonge, in Shropshire, and that they inclined towards Worcester; that col. Danvers, governor of Stafford, with some few horse, fell in upon some of their quarters, and killed 5 of their men; but gave an alarm to the whole Army. By another Letter it was certified that the Scots had, of horse and foot, 120 colours; that their horse were poor and harrassed out; that their foot were miserably ragged, and sick creatures a great number of them; that their king was found, with cap in hand, desiring them yet a little longer to stick to him; persuading them that, within two days march, they should come into a country where all things would be plentifully provided for them, and shortly thence to London: That the parliament's forces were at Tamworth, and from thence had sent several parties to attend the enemy's motion; and to dispose their own marches, in order to a conjunction with the Lord-General, and the other Forces lately sent from London.

Surrender of Stirling-Castle to the Parliament's Forces. Aug 27. This day a Letter to the Speaker, from Dr. Clerke, advocate to the court of admiralty, giving an account of the Surrender of Stirling Castle to the Parliament's Forces, was read.

Aug. 28. A Letter from lieut. gen. Fleetwood to the Speaker, intimating the Arrival of the King's Army in and about Worcester, was read.

Aug. 29. A Letter from col. Birch to the Speaker, with advice of the earl of Derby's being routed in Lancashire, was read to the house. In consequence of all these great Successes, the house ordered Thanks to be given to Almighty God, the next Lord's Day; and that the respective ministers should, at the same time, beg the Divine blessing upon the Parliament's Army now ready to engage with the enemy; and that the lord mayor of London do take care to give them notice accordingly. —About this time the king published another Declaration, intitled, 'His Majesty's second Declaration,' set forth upon his arrival at Worcester: this was also read in the house, and burnt a few days after by the common hangman.—The only Act passed this month worth our notice, besides those already mentioned, was for the lowering of the Common Interest of Money from 8 to 6 per cent. The preamble to this Act informs us, that the reason for passing it was, That land was lately fallen greatly in its value.

Sept. 1. This month begins with a series of Letters from the Army, communicated to the house by the Council of State, from whence the news of a general engagement was daily expected.

Battle of Worcester.] Sept. 5. This day the house received divers letters of the Defeat of the Scots Army near Worcester, on the 3rd. For this most remarkable instance of success the parliament order a Thanksgiving to Almighty God the next Lord's Day, till another could be appointed, to be observed throughout the nation.

Sept. 6. Major Cobbet, who was sent by the General from Worcester, gave the house a farther Account of the Battle near that city: he also produced a collar of SS, which was the

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king of Scots', and his Garter; which the said officer took in the king's quarters at Worcester; and presented a second Letter from the Lord-General Cromwell to the Speaker. After reading this Letter the house appointed the 2nd of Oct. to be kept as a Day of Thanksgiving throughout England, Ireland, and even Scotland too. They likewise resolved to dine together, on that day, after sermon, at the Banqueting-House in Whitehall; and the Council of State were ordered to provide a dinner accordingly. The house went still further in this Thanksgiving than ever they had done before, by ordering in an Act not only to set apart the said day, but also to appoint an annual commemoration of this Victory on the 3rd of Sept. for time to come.

A Deputation sent to Cromwell to compliment him on his great Victory.] A deputation, consisting of two commissioners of the great seal, Mr. Lisle and Mr. Whitlocke, with the lord chief justice St. John and sir Gilbert Pickering, were appointed to go and compliment the General on this occasion; and it was referred to a committee to consider of somewhat to be done by the parliament, as a testimony of their thankful acceptance of the great and faithful services performed by the Lord-General.* In the mean time, apartments were ordered to be fitted up for him in Hampton-Court; and the Council of State were impowered to give such reasonable gratuities as they should think proper to the persons who gave intelligence to the parliament's Forces of the enemy's Transactions at Worcester.

Rewards voted to the Officers of the Army.] Sept. 9. The English Army in Scotland, which Cromwell had left behind him, under the command of Lambert, Monk, Whalley, Okey, and Alured, had made great conquests in that kingdom; whereupon, the house ordered lands of Inheritance, to the value of 1000*l.* per ann. to be settled on Lambert; 500*l.* on Monk and Whalley; 300*l.* on Okey; and 200*l.* on Alured, for their great and eminent services to the Commonwealth.—And, to shew the Scots nation that the English were resolved to keep what they had conquered in that kingdom, the house ordered a Bill to be brought in, 'For asserting the Right of England to so much of Scotland as is now under the power of their Forces, and to settle it under the government of this Commonwealth.'

Sept. 10. A Proclamation was issued, offering a reward of 1000*l.* 'For the Discovery and Apprehending of Charles Stuart, and other Traitors, his Adherents, and Abettors.'

Rewards voted to Cromwell.] Sept. 11. The house resolved that Lands of Inheritance, to the yearly value of 4000*l.* belonging to the state, [besides 2500*l.* per ann. formerly granted] be settled upon the lord-general Cromwell and his heirs, as a mark of favour from the parliament, for his great and eminent services to the Commonwealth. Likewise 2000*l.* yearly rent, was ordered to be settled on Henry Ireton, esq. lord-deputy of Ireland, Cromwell's son-in-law.*

Some of the capital Prisoners ordered to be tried.] This day Mr. Scott, from the Council of State, reported to the house the Names of those persons they thought proper to be made examples of justice, which were these; James earl of Derby, col. Massey, duke of Hamilton, John earl of Lauderdale, the earl of Cleveland, capt. Benbow, sir Timothy Featherstonhaugh, also Tho. Licence and James Bridges, the one mayor, and the other sheriff, of Worcester. These were all ordered to be tried by courts martial, in different places.

Sept. 16. This day the Parliament's victorious General, Cromwell, appeared in the house; when the Speaker, in their name, made an eloquent oration, as the Journals express it, to him; and gave him their hearty Thanks for his great services to the Commonwealth.

* Mr. Whitlocke gives us the following result of this Embassy: "That they met the General near Aylesbury, delivered their message, and he received them with all kindness and respect: that he gave each of them a horse and two Scots prisoners, as a token of his thankful reception of the parliament's regard in sending them to meet and congratulate him." A Journalist of these times adds, "That Cromwell was met at Acton, by the Speaker, the lord president Bradshaw, many members of parliament and the Council of State, with the lord mayor, aldermen, and sheriffs of London: that he entered the City in a coach of state, and was received with all possible acclamations of joy." "All which," says Mr. Ludlow, "tended not a little to heighten the spirit of this haughty gentleman."

"The Battle of Worcester," says Hume, "afforded Cromwell what he called his *crowning mercy*," So elated was he, that he intended to have knighted in the field two of his generals, Lambert and Fleetwood; but was dissuaded by his friends from exerting this act of regal authority. His power and ambition were too great to brook submission to the empty name of a Republic, which stood chiefly by his influence, and was supported by his victories. How early he entertained thoughts of taking into his hand the reins of government is uncertain. We are only assured, that he now discovered to his intimate friends these aspiring views; and even expressed a desire of assuming the rank of king, which he had contributed, with such seeming zeal, to abolish."

* Ludlow writes, "That when the news of this Grant was brought over to Ireton, it was so unacceptable to him that he said, The parliament had many just debts, which he desired they would pay before they made any such presents; that he had no need of their Land, and therefore would not have it; and that he should be more contented to see them doing the service of the nation, than so liberal in disposing of the public treasure."

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A Bill ordered in, for fixing a Period to the present Parliament.] Upon the return of Cromwell we find that the Bill for an equal Representative in Parliament was briskly revived; for it was, this day, ordered to be taken into debate the next morning, and nothing to intervene. Accordingly, Sept. 17, it was made the subject almost of this whole day; but nothing further is entered concerning it, than that it was adjourned to this day sen'night; and then the report to be made to the house of it, the first business.—The 24th and 25th of this month were almost wholly employed in debating the grand point of a new Representative; on the latter of which the question being put, That a Bill be brought in for setting a Time certain for the Sitting of this Parliament, and for calling a new one with such fit rules, qualifications, proportions, and other circumstances, as this parliament shall think fit, and shall be for the good and safety of this Commonwealth, the house divided, and the Yeas went forth; when the Lord-General and Mr. Scott, the Tellers of them, brought in the numbers 33; sir H. Mildmay and sir James Harrington for the Noes, 26; on which the Bill was ordered in, and a committee appointed for that purpose.

Sept. 26. An Act 'For setting apart the 24th of Oct. 1651, for a Day of public Thanksgiving, together with a Narrative declaring the Grounds and Reasons thereof,' was read a 3rd time, and passed.

Oct. 1. The grand question of fixing a time for putting an End to the present Parliament being carried in the affirmative, as before mentioned, the Bill was ordered to be brought in that day se'night.

Oct. 8. The Bill was read a first time, and ordered a 2nd reading on the 10th, when it was committed to a grand committee of the house; to sit de die in diem, with some intermissions, for a fortnight, on this important affair.

The Earl of Derby and others executed.] Oct. 14. By a Letter from Chester, the parliament was informed that the Court-Martial there had tried and condemned to death, James earl of Derby, sir Timothy Featherstonhaugh, and capt. John Benbow, the first of this month. And, this day the house received a Letter, by the Speaker, from the earl; which being put to the question, to read it or not, was carried in the affirmative by 22 against 16. So the Letter, with a Petition inclosed, intitled, 'The humble Petition of James earl of Derby,' were both read; but nothing is entered further about them in the Journals. However an authority before cited informs us,* "That the earl offered to give up the Isle of Man, and send the necessary orders to his lady and the governor for that purpose, on condition of obtaining his pardon; and that the Petition was presented by his son lord Strange." But the parliament paid no regard to this proposal; for he was beheaded the next day at Bolton, in Lancashire;* as was sir Timothy Featherstonhaugh, at Chester. Capt. John Benbow was also shot at Shrewsbury. Most of the common soldiers were sent to the English plantations; and 1500 of them were granted to the Guinea merchants, and sent to work in the gold mines there.

Act passed for Encouragement of Navigation.] The only law passed this month worthy of our notice, was intitled, 'An Act for Increase of Shipping and Encouragement of the Navigation of this Nation.' As this Act is in itself very interesting, and the passing thereof, was the foundation of the Grand Quarrel that soon after ensued between the republics of England and Holland, we shall give an abstract of it. The preamble sets forth, "That the Increase of Shipping, and the Encouragement of the Navigation of this Nation, is, under the good providence and protection of God, a great means of the welfare and safety of this Commonwealth: and therefore the parliament enacted, That no goods should be imported from Asia, Africa, or America, but in English ships, under the penalty of forfeiture of the said goods and ship: one moiety thereof to the use of the Commonwealth, and the other to the prosecutor; nor from any part of Europe, except in such vessels as belong to the people of that country of which the goods are the growth or Manufacture, under the like penalty: That no goods of foreign growth or manufacture should be imported, but from the ports where such goods could only be, or usually had been, first shipped for transportation, under the like penalty: That no salt-fish, whale-fins, or oil should be imported, but what were caught or made by the people of England; nor any salt-fish exported, or carried from one port to another in this nation, but in English vessels, under the like penalty: But commodities from the Levant Seas, the East-

* Nouvelles Ordinaires de Londres, No. 64.

* "When the earl of Derby was summoned [by Ireton] to surrender the Isle of Man, he returned this spirited and memorable answer: 'I received your letter with indignation, and 'with scorn return you this answer; that I 'cannot but wonder whence you should gather 'any hopes, that I should prove like you, 'treacherous to my sovereign, since you cannot be ignorant of my former actions in his 'late majesty's service, from which principles 'of loyalty I am no whit departed: I scorn 'your proffers; I disdain your favour; I abhor your treason; and am so far from delivering up this Island to your advantage, that 'I shall keep it to the utmost of my power to 'your destruction. Take this for your final 'answer, and forbear any further solicitations, 'for if you trouble me with any more messages 'of this nature, I will burn the paper, and 'hang up the bearer. This is the immutable 'resolution, and shall be the undoubted practice of him, who accounts it his chiefest glory 'to be his majesty's most loyal and obedient 'subject." Hume.

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Indies, the ports of Spain or Portugal, might be imported from the usual ports or places of trading used heretofore, though the said commodities were not the growth of the said places." This Act did not extend to bullion or prize goods, nor to silk or silk wares brought by land from Italy to Ostend, Amsterdam, &c. provided they were brought from those ports in English vessels.

Account of the King's Escape into France, as published by Authority of the House.] October 28. Notwithstanding the Proclamation of 1000*l.* reward lately issued, for Apprehending of the King's Person, and the indefatigable pains taken to discover him, he evaded all his pursuers, found means to hire a vessel on the coast of Sussex, and landed at Havre-de-Grace. This day an Extract of two Letters from Paris were published, (licensed by the clerk of the parliament) setting forth, "That on the 19th the Scots king arrived there, and was met by the duke of Orleans not far from that city, who had the day before sent some coaches for him to Maguy, where he lay that night: that his highness conducted him to the Louvre, where the late queen, his mother, repaired presently after from Chaliot, where she had been erecting a nunnery: that the king gave the company a full Narrative of all the particulars of what happened at the Fight at Worcester, threw out some reproachful words against the Scots, put some scurrilous language on the Presbyterian party in England, and boasted much of his own valour: That he told them how he slipt out of Worcester, and how near he was of being taken there; first in the fort, and after in his chamber: how he disguised himself, and went from county to county, and what shift he made for victuals and lodging; sometimes being driven to beg a piece of bread and meat, and ride with bread in one hand and meat in the other; and sometimes setting a guard about a little cottage while he rested there until the morning: as also his being in London, and the manner of his passing disguised through several counties in England, till he made his escape: the relation whereof produced some laughter, at the ridiculousness of his condition." Thus much for the Parliament's Account of the king's Escape. His majesty's own Narrative thereof may be found at large in lord Clarendon's History, who had all the particulars from the king himself.*

The Parliament fix upon a Time for their Dissolution.] Nov. 14. The members in and about Westminster Hall, as well Judges as others, were all ordered to be summoned, by the serjeant with his mace, and required to give their attendance in the house. The debate upon the Bill for the Dissolution of the Parliament was then resumed; and the question being put, That it is now a convenient time to declare a certain period for the continuance of this Parliament, beyond which it shall not sit, the house divided; when the Yeas, brought in by the lord-general Cromwell and the lord chief justice St. John, were 49; the Noes, by col. Morley and Mr. Bond, 47. After this Resolution, the house adjourned to the 18th, when it was resolved, That the Time for the Continuance of this Parliament, beyond which they resolve not to sit, shall be the 3d of Nov. 1654.—Thus was this great business, which had continued in agitation so many months, at length concluded, but the Dissolution put off *ad longum diem.* However, they did not live to the destined period; for, before that time, this remnant of a parliament met its fate, under the superior power of their lord-general Cromwell and his Army.

A New Council of State elected.] Nov. 19. A Report being made from the Council of State, That the time of the ceasing of the power of the said Council determined on the 1st of Dec. next, the house resolved, That the number thereof for the year ensuing, should be 21 chosen out of the present members, and 20 new ones; to be elected, as before, by ballot. Accordingly, a few days after, the house proceeded to the election, when the lord-general Cromwell, the lord commissioner Whitlocke, the lord chief justice St. John, sir H. Vane, jun. John Gurdon, lieut. gen. Fleetwood, the lord chief justice Rolle, the lord commissioner Lisle, serj. Bradshaw, sir A. Haselrig, Dennis Bond, and Tho. Scott, colonels Purefoy and Wauton, sir Wm. Masham, sir J. Harrington, Tho. Chaloner, maj. Salway, sir Gilbert Pickering, John Carew and Nich. Love, were re-elected. The new members were Herbert Morley and Anthony Stapley, sir Peter Wentworth, Philip lord Lisle, Alex. Popham, John Corbet, Abraham Burrel, W. Hay, and Cornelius Holland, alderman Pennington, W. Masham and John Downes, sir W. Constable, John Dixwel, Hen. Nevil, Hen. Herbert, and Rob. Blake, Philip, earl of Pembroke, Henry Martin, and Robert Wallop. It is remarkable that, upon this contest for power, 120 Members were present, though, upon other occasions, the house very seldom consisted of more than 50, and oftentimes under 40.

Limerick, and the Isles of Jersey and Man, surrendered to the Parliament's Forces.] The last thing we find memorable, in the proceedings of this month, was appointing another Day of Thanksgiving, for the taking of the city of Limerick, by the lord-deputy there, Oct. 30, with all the artillery, arms, ammunition, &c. therein: likewise for taking the Isles of Jersey and Man,* with all their castles and forts, ord-

* See vol. vi. p. 413, et seq.

* "The Countess of Derby defended the Isle of Man, and with great reluctance yielded to the necessity of surrendering to the enemy. This lady, a daughter of the illustrious house of Trimoille in France, had during the Civil War displayed a manly courage by her obstinate defence of Latham House, against the Parliamentary Forces; and she retained the glory of

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nance and ammunition contained in them. But Ireton, the victorious general in Ireland, did not long survive his conquest there; for he died at Limerick, the 26th of Nov. two days before the house had ordered some physicians to go over, with all speed, to attend him.

Commissioners appointed for the Government of Scotland.] Dec. 10. The Commissioners to be sent down into Scotland, in order to introduce an English Government in that kingdom, were this day nominated and appointed, and were these: lord chief justice St. John, sir H. Vane, jun. col. George Fenwick, major Salway, the majors general Lambert and Deane, lieut. gen. Monk, and alderman Tichbourne of London. But the Instructions for these Commissioners were forbid by the parliament to be entered in the Journals, and only one copy thereof ordered to be ingrossed for the use of the Council of State.

Prymate and Lilburne punished for petitioning against Sir A. Haslerig.] Jan. 16. Col. Lilburne having joined in a Petition with Josiah Prymate, to the house, against sir Arthur Haslerig, complaining of his great Oppression and Tyranny, in seizing on certain Collieries in the county of Durham; and overawing and directing the commissioners to whom he had applied for relief, the said Petition was voted false, malicious, and scandalous, and ordered to be burnt by the common hangman. Prymate and Lilburne were fined each 3000*l.* for the use of the Commonwealth; 2000*l.* to sir A. Haslerig, for damages, and 500*l.* a piece to the Commissioners before whom the cause had been heard. The former of them was also committed to the Fleet till payment should be made, and the latter was ordered to be banished out of England, Scotland, Ireland, and the territories thereto belonging, and to suffer death in case of his return.

April 13. This day a Bill was brought in for incorporating of Scotland into one Commonwealth and Free State with England; and for abolishing the Kingly Office in Scotland. It was read a 1st and 2nd time.

Vote relating to Tythes.] The business of Tythes, was also another topic this month; and, after debate upon them, the house ordered it to be referred to the committee appointed to receive Proposals for the better Propagation of the Gospel, to consider how a convenient and competent Maintenance for a godly and able Ministry may be settled in lieu of Tythes, and present their opinion to the house. And the question being put, that this clause be added, "That Tythes should be paid as formerly, until such Maintenance be settled," the house divided; when it was carried in the affirmative, by 27 against 17.

A Sea fight with the Dutch.] May 21. About this time a Sea-Fight took place in the Downs, between the English and the Dutch; the particular Account of which was this day communicated to the house in a Letter from Admiral Blake. Upon which they voted their Approbation of what the Admiral had done in this affair; and ordered the Council of State to take care of the strengthening the Fleet, for the security and benefit of the Commonwealth.—About the same time with the above Sea-Fight, three Ambassadors from the States arrived at London, and were conducted to a public Audience of the house. Mr. Ludlow gives the following account of this Embassy: "The States General, being highly displeased with the late Act of Navigation passed by the parliament, which they accounted to be a great obstruction to their Trade, resolved to leave no means unattempted to procure it to be repealed. To this end they sent three Ambassadors to England; who pretending a desire to finish the Treaty begun formerly between the two States, requested that things might be as they were at the time of the parliament's Ambassador's departure from Holland; designing thereby, that the Act lately passed for the Encouragement of our Seamen should be suspended, and all such merchandizes restored as had been seized from the Dutch by virtue of the said act. The parliament refusing to consent to this Proposal, the States General gave Orders for the equipping a considerable Fleet, consisting of about 100 ships of war, giving notice to the house, by their ambassadors, of these preparations; and assuring them, that they were not designed to offend the English nation, with whom they desired to maintain a friendly correspondence; and that they were provided to no other end, than to protect their own subjects in their Trade and Navigation. But the parliament, being unwilling to rely upon the promises of those, who, by their past and present actions, had manifested little friendship to them, resolved to make what preparations they could to defend themselves."—But all these negotiations had no effect; for we find that the English demands being to have satisfaction from the Dutch for all charges and damages this State had sustained and been put to this summer, on their account, the Dutch denied to consent to it: and the Ambassadors having desired to take their leave of the house, it was granted on the 29th.

July. 6. The war with Holland now began to be entered into in earnest; sir George Ayscough, one of the English Admirals, lately returned from reducing the Plantations to the obedience of parliament, fought the Dutch Fleet, under admiral Van Tromp, and took, sunk, and dispersed 36 sail of their ships. An Account of which coming this day to the house, they ordered that a Letter of Thanks be written from the parliament to sir George, taking notice of his great services to the Commonwealth, and that he should give their Thanks also to the officers under him.—Admiral Blake was sent with a strong squadron Northward, to

being the last person in the three kingdoms, and in all their dependant dominions, who submitted to the victorious Commonwealth." Hume. See the preceding note. p. 1374.

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disturb the Dutch Fisheries on that coast, where he fought and dispersed their men of war, and took most of their Fishing Bussess,&c.

Aug. This month the house went principally upon the Distribution of the Lands lately conquered in Ireland, and appointed Cromwell Captain General of all the Parliament's Forces; lieut. general Fleetwood, as commander in chief under him in Ireland; lieut. gen. Ludlow, Miles Corbett, John Jones, and John Weaver, esqrs. commissioners for ordering and managing the affairs of that nation.

Deputies come up from Scotland, to treat with the Parliament about the intended Union of the two Nations.] October. A Deputation of 21 Commissioners from Scotland came up to London about this time, and were lodged in Westminster by the parliament's orders. These gentlemen came to treat with the parliament about the intended Union between the two nations: and, to that end, the house appointed 12 of their members, to meet these Deputies, to peruse their commission, and see that it was in pursuance of, and according to, a Declaration of Parliament lately published. —Mr. Ludlow writes "That this proposition of Union was chearfully accepted by the most judicious of the Scots nation, who well understood what a great condescension it was in the parliament of England, to permit a people they had conquered to have a share with them in the legislative power." But the Scots Clergy, as Heath informs us, protested against this Union, "lest such an incorporation should draw with it a subordination of the kirk to the state in the things of Christ."

A new Council of State chosen.] November. The election for a new Council of State was according to annual custom, carried through this month. The serjeant at arms, with his mace, was ordered to go out and summon all the members in Westminster-Hall, and the parts adjacent, to attend the house. The doors were then ordered to be shut, when the number of members present appeared to be 122. The 21 members of the Council to be continued for the year ensuing, were Cromwell, Whitlocke, St. John, lord chief justice Rolle, sir H. Vane, jun. sir A. Haslerig, Tho. Scott, Herbert Morley, and Dennis Bond, esqrs. col. Purefoy, John Bradshaw, serj. at law, John Gurdon, esq. lord-commissioner Lisle, col. Wauton, sir Js. Harrington, sir Wm. Masham, Tho. Chaloner and Rob. Wallop, esqs. sir Gilbert Pickering, sir Peter Wentworth, and Nich. Love, esq. The 20 new Members, now elected, were, Rob. Goodwin, esq. alderman Allen, col. Thompson, Walter Strickland esq. sir H. Mildmay, maj. gen. Skippon, lord Grey, col. Sidney, Edm. Prideaux, esq. attorney-general, sir John Trevor, col. Norton, Tho. Lister, esq. col Ingoldsby, sir John Bourchier, Wm. earl of Salisbury, Wm. Cawley, esq. sir Wm. Brereton, John Fielder and Wm. Say, esqrs. and major-gen. Harrison.

December. The Treaty with the Deputies from Scotland, still went on; the point they were now canvassing was the Proportion of Members for Scotland to sit in the English parliament and the time of their sitting; which was, at last, referred to the committee for the new Representative. The rest of the transactions in this month are too inconsiderable for our purpose.

January. The house began this month with a very considerable reduction of their Land-Forces, so as to lessen their pay from 80 to 70,000*l.* a month.

Great Naval Victory obtained over the Dutch, after an Engagement of 3 Days.] March 1. This day a Letter from the three admirals of the Fleet, Blake, Deane, and Monk, addressed to the Speaker, and dated aboard the Triumph, Feb. 27, in Stokes Bay, was read in the house. It contained an Account of a great Naval Victory obtained over the Dutch after an Engagement of 3 days. The English Fleet consisted of 80 sail, Blake commanded, and Deane under him, together with Monk, who had been sent for from Scotland. When the English lay off Portland (Feb. 18.) they descried, near break of day, a Dutch Fleet of 76 vessels, sailing up the channel, along with a convoy of 300 merchantmen. Tromp, and, under him, de Ruyter, commanded the Dutch. The battle was the most furious that had yet been fought between these warlike and rival nations. Three days was the combat continued with the utmost rage and obstinacy. The Dutch admiral made a skilful retreat, and saved all the merchant ships except 30. He lost 11 ships of war, had 2000 men slain, and near 1500 taken prisoners. The English, though many of their ships were extremely shattered, had but one sunk. Their slain were not much inferior in number to those of the enemy.—In consequence of this great Victory, the house ordered that Thanks be given to Almighty God, the next Lord's day, throughout London and Westminster. The Speaker was also directed to write a Letter of Congratulation to each of the three Admirals, taking notice of the parliament's resentment of their great and faithful services in the late Engagement, with Thanks to them and the several commanders under them; and a collection was ordered to be made in the house, for the widows of sailors killed in the action.

The Duke of Gloucester sent out of the kingdom.] March. 17. Some time ago the parliament had ordered, That Henry Stuart, commonly called duke of Gloucester, youngest son of the late king, should be released from Carisbrooke-Castle, in the Isle of Wight, and sent to Dunkirk: This day they received advice of his being arrived at Breda, where he was most affectionately received by his sister the princess royal, dowager of Orange.

The Dutch sue for Peace.] March 22. The Dutch having been heartily drubbed in their last Naval Engagement, seem now to lower their top-sails, and sue for peace. To that end we are told, by the Journals, that mynheer Paw's private secretary was sent over with a Letter from the States of Holland and

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West-Frizeland to the Parliament; on which occasion the house ordered the Council of State to prepare an Answer thereto, and a Letter addressed to the States General, both in Latin, for the parliament's approbation; which was done accordingly, and sent away by a special messenger: but these Letters imported no more than a general intimation of the parliament's good disposition to Peace upon proper terms.

Cromwell comes to the House and turns the Members out of Doors.] April 19. This long lived parliament was now drawing near its end, which was so sudden and unexpected, that few of its members were the least aware of it. This day, after debate on a Bill for settling the Claims of the Adventurers for Ireland, on a sudden the Printed Journals break off without any notice taken of the occasion; only we are told by the publisher of them in a marginal Note, That there did an Entry follow; but against it was written, in the Margin of the Original, 'This Entry was expunged, by order of parliament, Jan. 7, 1659.' In looking forwards into the Journal of that day, we meet with the following passage: "Whereas this house do find an Entry in the Journal-Book of the 20th of April, 1653, in these words, 'This day his excellency the Lord General dissolved this Parliament;' which was done without consent of parliament; this house doth declare the same to be a forgery; and do order Mr. Scobell to be sent for to the bar to answer it. Mr. Scobell soon after appearing there, the Entry was shewn him, and being asked Who made it? He acknowledged, That it was his own hand writing, and that he did it without the direction of any person whatever. The house then ordered the Entry to be expunged out of the Journal, and referred it to a committee to consider whether the then late Act of Indemnity extended to pardon that offence.—This is all we can collect from the Journals, relating to this most remarkable transaction; but since the reader's curiosity may require a more explicit Account of it, we shall give a Narrative of the Manner of this Parliament's being dismissed, from a Diary* of equal authority with that of the Journals themselves; being published at the very time of action, and licensed by Mr. Scobell, clerk of the house. It runs thus:

"The Officers of the Army have, for 16 weeks past, or more, used all possible means to have persuaded the parliament to have passed such things as might be for the common good, and proposed the particulars to them; then many endeavoured to present Petitions from several parts of the nation to the officers, but they refused to meddle, leaving it to the parliament, desiring that all might be acted by them. The officers used all private means to persuade them, as they had occasion from time to time, telling them, 'How the country people did expect it;' and, after all that, sent a letter, and had meetings with divers whom they looked upon as most ready to promote the public good; and at one time met with almost 30, and endeavoured to engage them to act therein; giving them reasons for the passing of those things which they proposed, for the general good of the people: but the members only answered, 'That when they were in parliament they had liberty of their Yeas and their Noes.' The last night before this dismission, there were near 20 members with the General, to whom the danger of the Act, for calling a new Representative, was declared, as the house was about to pass it; it giving so much liberty, that many disaffected persons might be chosen; and by the said Act these present members were to sit and to be made up by others chosen, and by themselves approved of: hereupon they engaged not to meddle with it this day; and when major gen. Harrison saw, this morning, that they fell upon it, he most sweetly and humbly desired them to lay it aside, shewing them the danger of it; but they going on, the Lord General required them to depart the house; and lieut. col. Worsley, with some soldiers, came in and ordered the house to be cleared; took the mace away, and caused the house to be locked up. The next day there was a Paper, by somebody, posted upon the Parliament House door, thus: *This House is to be Lett, now unfurnished.*"

Mr. Whitlocke writes thus*:—"On the 19th of April there having been a great meeting at Cromwell's lodgings at Whitehall of parliament men, and several officers of the Army, sent to by Cromwell to be there; and a large discourse and debate having been amongst them touching some expedient to be found out, for the present carrying on of the government of the Commonwealth, and putting a period to this present parliament, it was offered by divers, as a most dangerous thing to dissolve the present parliament, and to set up any other government; and that it would neither be warrantable in conscience or wisdom so to do; yet none of them expressed themselves so freely to that purpose as sir Tho. Widdrington and Whitlocke then did. Of the other opinion, as to putting a period forthwith to this parliament, St. John was one of the chief, and many more with him, and generally all the officers of the Army; who stuck close in this likewise to their General. And the better to make way for themselves and their ambitious design of advancing them to the civil government, as well as they were in the military power, they and their party declared their opinions, That it was necessary the same should be done one way or other, and the members of parliament not permitted to prolong their own power. At which expression Cromwell seemed to reprove some of them; and

* Several Proceedings in Parliament, and other Intelligence and Affairs, from Thursday the 14th to Thursday the 21st of April, 1653. Printed for Robert Ibbetson, No. 186.

* Memorials, p. 529.

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this conference lasted till late at night, when Widdrington and Whitlocke went home weary and troubled to see the indiscretion and ingratitude of those men, and the way they designed to ruin themselves; therefore these came early again the next morning, according to appointment, to Cromwell's lodging, where there were but a few parliament men, and a few officers of the Army. A point was again stirred, which had been debated the night before, 'Whether 40 persons, or about that number of parliament men and officers of the Army, should be nominated by the parliament, and impowered for the managing the affairs of the Commonwealth, till a new parliament should meet, and so the present parliament to be forthwith dissolved.' Whitlocke was against this proposal, and the more, fearing lest he might be one of these 40; who, he thought, would be in a desperate condition after the parliament should be dissolved: but others were very ambitious to be of this number and council, and to be invested with this exorbitant power in them. Cromwell being informed, during this debate, that the parliament was sitting, and that it was hoped they would put a period to themselves; which would be the most honourable dissolution for them: hereupon he broke off the meeting, and the members of parliament with him left him at his lodging, went to the house, and found them in debate of an act, the which would occasion other meetings of them again, and prolong their sitting. Thereupon col. Ingoldsby went back to Cromwell, and told him what the house were doing; who was so enraged thereat, expecting they should have meddled with no other business but putting a period to their own sitting without more delay, that he presently commanded some of the officers of the Army to fetch a party of soldiers, with whom he marched to the house, and led a file of musketteers in with him; the rest he placed at the door of the house, and in the lobby before it. In this manner entering the house, he, in a furious manner, bid the Speaker leave his chair; told the house 'That they had sat 'long enough, unless they had done more good; 'that some of them were whoremasters, (look-'ing then towards Henry Martyn and Sir Peter 'Wentworth) that others of them were drunk-'ards, and some corrupt and unjust men, and 'scandalous to the profession of the Gospel; 'and that it was not fit they should sit as a 'parliament any longer, and desired them to 'go away.' The Speaker not stirring from his seat, col. Harrison, who sat near the chair, rose up and took him by the arm, to remove him from his seat; which when the Speaker saw, he left his chair. Some of the members rose up to answer Cromwell, but he would suffer none to speak but himself; which he did with so much arrogance in himself, and reproach to his fellow-members, that some of his privadoes were ashamed of it: but he and his officers and party would have it so; and among all the parliament men, of whom many were swords, and would sometimes brag high, not one man offered to draw his sword against Cromwell, or to make the least resistance against him; but all of them tamely departed the house. He bid one of his soldiers to take away that fool's bauble, the mace, and stayed himself to see all the members out of the house, himself the last of them, and then caused the doors of the house to be shut up."

The next is Mr. Ludlow's Account, who writes, "That Cromwell having notice that the house was sitting, hastened there, where he sat down and heard the debate some time; then calling to Harrison to come to him, he told him, 'That he judged the parliament ripe 'for a Dissolution, and this to be the time 'of doing it.' The major answered, as he since told me, 'Sir, the work is very great 'and dangerous, therefore I desire you seri-'ously to consider of it before you engage in 'it.' You say well,' replied the General, and thereupon sat still for about a quarter of an hour; and then the question for passing the Bill being to be put, he said again to Harrison, 'This is the time: I must do it;' and, suddenly standing up, he made a speech, wherein he loaded the parliament with the vilest reproaches, charging them, 'not to have 'a heart to do any thing for the public good; 'to have espoused the corrupt interest of 'presbytery and the lawyers, who were the 'supporters of tyranny and oppression; accas-'ing them of an intention to perpetuate them-'selves in power; and thereupon told them, 'that the Lord had done with them, and had 'chosen other instruments for carrying on 'his work that were more worthy.' This he spake with so much passion and discomposure of mind, as if he had been distracted. Sir Peter Wentworth stood up and said, 'That 'this was the first time that ever he had 'heard such unbecoming language given to 'the parliament; and that it was the more 'horrid in that it came from their servant, and 'their servant whom they had so highly trusted 'and obliged:' But as he was going on, the General stept into the midst of the house, where, continuing his distracted language, he said, 'Come, come, I will put an end to your 'prating,' then walking up and down the house like a mad-man, and kicking the ground with his feet, he cried out, 'You are no par-'liament; I say you are no parliament: I 'will put an end to your sitting: call them in, 'call them in.' Whereupon the serjeant attending the parliament, opened the doors, and lieut. col. Worsley, with two files of musketeers, entered the house; which sir Henry Vane observing from his place, said aloud, 'This is not honest; yea, it is against mora-'lity and common honesty.' Then Cromwell fell a railing at him, crying out with a loud voice, 'O sir Henry Vane, sir Henry Vane, 'the Lord deliver me from sir Henry Vane.' Then looking upon one of the members, he said, 'There sits a Drunkard;' and giving much reviling language to others, he com-

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manded the Mace to be taken away, saying, 'What shall we do with this Bauble? here, 'take it away.' Having brought all into this disorder, major-gen. Harrison went to the Speaker as he sat in the chair, and told him, 'That seeing things were reduced to this pass, 'it would not be convenient for him to remain 'there.' The Speaker answered, 'That he 'would not come down unless he were forced.' 'Sir,' said Harrison, 'I will lend you my 'hand;' and thereupon putting his hand within his, the Speaker came down. Then Cromwell applied himself to the members of the house, who were in number between 80 and 100, and said to them, 'It is you that have forced me to 'this, for I have sought the Lord night and 'day, that he would rather slay me than put 'me upon the doing of this work.' Hereupon alderman Allen, told him, 'That it was not 'yet gone so far, but all things might be re-'stored again; and that if the soldiers were 'commanded out of the house, and the mace 'returned, the public affairs might go on in 'their former course:' but Cromwell having now passed the Rubicon, not only rejected his advice, but charged him with an Account of some hundred thousand pounds, for which he threatened to question him, having been long Treasurer for the Army; and in a rage committed him to the custody of one of the musketeers. Alderman Allen told him, 'That it was well known that it had not been his fault 'that his Account was not made up long since; 'that he had often tendered it to the house; 'and that he asked no favour from any man in 'that matter.' Cromwell having acted this treacherous and impious part, ordered the guard to see the house cleared of all the members; and then seized upon the Records that were there, and at Mr. Scobell's house. After which he went to the clerk, and snatching the Act of Dissolution, which was ready to pass, out of his hand, he put it under his cloak; and having commanded the doors to be locked up, went away to Whitehall."

Cromwell having thus dispatched this grand affair, and deposed the late lords and masters at Westminster, from their dominion and sovereignty in this nation, went in the afternoon of the same day to the place where the Council of State usually sat, and finding many of them there, he accosted them thus: 'Gentlemen, if you are met here as private persons, you shall not be disturbed; but if as a Council of State, this is no place for you: 'and since you cannot but know what was 'done at the house in the morning, so take 'notice that the parliament is dissolved.' To this Serjeant Bradshaw answered, 'Sir, we 'have heard what you did at the house in the 'morning, and before many hours all England 'will know it: but, sir, you are mistaken to 'think that the parliament is dissolved; for 'no power under Heaven can dissolve them 'but themselves; therefore take you notice of 'that.' Something more was said to the same purpose, by sir Arthur Haslerig, Mr. Love, and Mr. Scott; but all of them, perceiving themselves to be under the same violence, thought proper to withdraw.

Cromwell's Declaration of the Grounds and Reasons for thus dissolving the Parliament by Force.] The next step Cromwell took was to issue out, in his own name and his Council of Officers, the following Declaration of the Grounds and Reasons for dissolving the Parliament: *

"Whitehall, April 22, 1653.

"Our intention is not to give an Account, at this time, of the Grounds which first moved us to take up arms, and engage our lives and all that was dear unto us in this cause; nor to mind, in this Declaration, the various dispensations through which Divine Providence hath led us, or the witness the Lord hath borne, and the many signal testimonies of acceptance which he hath given, to the sincere endeavours of his unworthy servants, whilst they were contesting with the many and great difficulties, as well in the wars, as other transactions in the three nations; being necessitated, for the defence of the same cause they first asserted, to have recourse unto extraordinary actions, the same being evident by former Declarations published on that behalf.—After it had pleased God not only to reduce Ireland and give in Scotland, but so marvelously to appear for his people at Worcester, that these nations were reduced to a great degree of peace, and England to perfect quiet, and thereby the parliament had opportunity to give the people the harvest of all their labour, blood, and treasure, and to settle a due liberty both in reference to civil and spiritual things, whereunto they were obliged by their duty, their engagements, as also the great and wonderful things which God hath wrought for them; it was matter of much grief to the good and well-affected of the land, to observe the little progress which was made therein, who thereupon applied to the Army, expecting redress by their means; notwithstanding which, the Army being unwilling to meddle with the civil authority in matters so properly appertaining to it, it was agreed, That his excellency, and Officers of the Army which were members of parliament, should be desired to move the parliament to proceed vigorously in reforming what was amiss in government, and to the settling of the Commonwealth upon a foundation of justice and righteousness; which having done, we hoped that the parliament would seasonably have answered our expectation: but finding to our grief, delays therein, we renewed our Desires in an humble Petition to them, which was presented in August last; and although they at that time, signifying their good acceptance thereof, returned us thanks, and referred the particulars thereof to a committee of the

* From the original Edition, printed by Henry Hills and Thomas Brewster, Printers to the Army. It was also published in French, by Authority, for the information of foreigners.

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house, yet no considerable effect was produced, nor any such progress made, as might imply their real intentions to accomplish what was petitioned for; but, on the contrary, there more and more appeared amongst them an aversion to the things themselves, with much bitterness and opposition to the people of God, and his spirit acting in them; which grew so prevalent, that those persons of honour and integrity amongst them, who had eminently appeared for God and the public good, both before and throughout this war, were rendered of no further use in parliament, than by meeting with a corrupt party to give them countenance to carry on their ends, and for effecting the desire they had of perpetuating themselves in the Supreme Government, for which purpose the said party long opposed, and frequently declared themselves against having a new Representative: and when they saw themselves necessitated to take that Bill into consideration, they resolved to make use of it to recruit the house, with persons of the same spirit and temper, thereby to perpetuate their own sitting; which intention divers of the activest amongst them did manifest, labouring to persuade others to a consent therein: and the better to effect this, divers Petitions, preparing from several counties for the continuance of this parliament, were encouraged, if not set on foot, by many of them. For obviating of these evils, the Officers of the Army obtained several meetings with some of the parliament, to consider what fitting means and remedy might be applied to prevent the same: but such endeavours proving altogether ineffectual, it became most evident to the Army, as they doubt not it also is to all considering persons, that this parliament, through the corruption of some, the jealousy of others, the non-attendance and negligence of many, would never answer those ends which God, his people, and the whole nation expected from them; but that this cause, which the Lord hath so greatly blessed, and bore witness to, must needs languish under their hands, and, by degrees, be wholly lost; and the lives, liberties, and comforts of his people delivered into their enemies hands.—All which being sadly and seriously considered by the honest people of this nation, as well as by the Army, and wisdom and direction being sought from the Lord, it seemed to be a duty incumbent upon us, who had seen so much of the power and presence of God going along with us, to consider of some more effectual means to secure the cause which the good people of this Commonwealth had been so long engaged in, and to establish righteousness and peace in these nations.—And after much debate it was judged necessary, and agreed upon, That the Supreme Authority should be, by the parliament, devolved upon known persons, men fearing God, and of approved integrity; and the government of the Commonwealth committed unto them for a time, as the most hopeful way to encourage and countenance all God's people, reform the law, and administer justice impartially; hoping thereby the people might forget monarchy, and, understanding their true interest in the election of successive parliaments, may have the government settled upon a true basis, without hazard to this glorious cause, or necessitating to keep up armies for the defence of the same. And being still resolved to use all means possible to avoid extraordinary courses, we prevailed with about 20 members of parliament to give us a conference, with whom we freely and plainly debated the necessity and justness of our Proposals on that behalf; and did evidence that those, and not the Act under their consideration, would most probably bring forth something answerable to that work, the foundation whereof God himself hath laid and is now carrying on in the world.—The which, notwithstanding, found no acceptance; but, instead thereof, it was offered, that the way was to continue still this present parliament, as being that from which we might reasonably expect all good things: and this being vehemently insisted upon, did much confirm us in our apprehensions, that not any love to a Representative, but the making use thereof to recruit, and so perpetuate themselves, was their aim.—They being plainly dealt with about this, and told that neither the nation, the honest interest, nor we ourselves, would be deluded by such dealings, they did agree to meet again the next day in the afternoon for mutual satisfaction; it being consented unto by the members present, that endeavours should be used that nothing in the mean time should be done in parliament that might exclude or frustrate the Proposals before-mentioned. Notwithstanding this, the next morning the parliament did make more haste than usual, in carrying on their said Act, being helped on therein by some of the persons engaged to us the night before; none of them which were then present endeavouring to oppose the same: and being ready to put the main question for consummating the said Act, whereby our aforesaid proposals would have been rendered void, and the way of bringing them into a fair and full debate in parliament obstructed; for preventing thereof, and all the sad and evil consequences which must, upon the grounds aforesaid, have ensued; and whereby, at one blow, the interest of all honest men, and of this glorious cause, had been in danger to be laid in the dust, and these nations embroiled in new troubles, at a time when our enemies abroad are watching all advantages against us, and some of them actually engaged in war with us, we have been necessitated, though with much reluctancy, to put an end to this parliament; which yet we have done, we hope, out of an honest heart, preferring this cause above our names, lives, families, or interests, how dear soever; with clear intentions and real purposes of heart, to call to the government persons of approved fidelity and honesty; believing that as no wise men will expect to gather grapes of thorns, so good men will hope, that

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if persons so qualified be chosen, the fruits of a just and a righteous reformation, so long prayed and wished for, will, by the blessing of God, be in due time obtained, to the refreshing of all those good hearts who have been panting after those things.—Much more might have been said, if it had been our desire to justify ourselves by aspersing others, and raking into the misgovernment of affairs; but we shall conclude with this, That as we have been led by necessity and Providence to act as we have done, even beyond and above our own thoughts and desires; so we shall, and do, in that part of this great work which is behind, put ourselves wholly upon the Lord for a blessing; professing, we look not to stand one day without his support, much less to bring to pass any of the things mentioned and desired, without his assistance; and therefore do solemnly desire and expect, that all men, as they would not provoke the Lord to their own destruction, should wait for such issue as he should bring forth, and to follow their business with peaceable spirits; wherein we promise them protection by his assistance. And for those who profess their fear and love to the name of God, that seeing in a great measure for their sakes, and for righteousness sake, we have taken our lives in our hands to do these things, they would be instant with the Lord day and night on our behalfs, that we may obtain grace from him; and seeing we have made so often mention of his name, that we may not do the least dishonour thereunto; which indeed would be our confusion, and a stain to the whole profession of godliness. We beseech them also to live in all humility, meekness, righteousness, and love one towards another, and towards all men, that so they may put to silence the ignorance of the foolish, who falsely accuse them; and to know that the late great and glorious dispensations, wherein the Lord hath so wonderfully appeared in bringing forth these things by the travel and blood of his children, ought to oblige them so to walk in the wisdom and love of Christ, as may cause others to honour their holy profession, because they see Christ to be in them of a truth.—We do further purpose, before it be long, more particularly to shew the Grounds of our proceedings, and the Reasons of this late great action and change, which in this we have but hinted at. And we do lastly declare, That all judges, sheriffs, justices of the peace, mayors, bailiffs, committees and commissioners, and all other civil officers and public ministers whatsoever, within this Common-wealth, or any parts thereof, do proceed in their respective places and offices; and all persons whatsoever are to give obedience to them as fully as when the parliament was sitting.* Signed in the name, and by the appointment of his Excellency the Lord-General, and his Council of Officers, Will. Malyn, Secretary."

Cromwell and his Officers having thus gained the power of government into their hands, were complimented from all parts of England, on the justice of his late action; and with Engagements to stand by them with their lives and fortunes. The Diaries of these times abound with Addresses of this sort.

Cromwell and his Council resolve to call a Parliament.] Though Cromwell and his Council of Officers had hitherto exercised the civil authority without controul, yet not thinking themselves quite safe in their newly-acquired power, without, at least, the appearance of a legislative sanction, they agreed upon calling a sort of parliament. To this end, a meeting of the general officers of the Army was appointed at Whitehall, where major-gen. Lambert, gen. Harrison, and other great men of the Army came. Lambert proposed that a few persons, not exceeding 10 or 12, might be intrusted with the Supreme Power: Harrison was for a greater number, inclining much to that of 70, being the number the Jewish Sanhedrim consisted of. But, after some debate, it was resolved, that a number of persons in England, Ireland, and Scotland, as nearly as might be proportionable to their payments toward the public charge, should be nominated by the Council of Officers, and sent for to meet at Westminster on a certain day; to whom all the authority of the nation should be delegated by an Instrument signed and sealed by the General and the Officers, obliging themselves to be obedient to their Orders.

A Summons issued by Cromwell for that Purpose.] The Summons to be sent out for collecting this Assembly, in the General's name only, was in these words:

"Forasmuch as upon the Dissolution of the late Parliament it became necessary that the peace, safety, and good government of this Common-wealth should be provided for; and, in order thereunto, divers persons fearing God, and of approved fidelity and honesty, are by myself, with the advice of my Council of Officers, nominated, to whom the great charge and trust of so weighty affairs is to be committed; and having good assurance of your love to, and courage for, God and the interest of his cause, and of the good people of this Common-wealth: I Oliver Cromwell, captain-general and commander in chief of all the Armies and Forces raised, and to be raised, within this Common-wealth, do hereby summon and require you (being one of the said persons nominated) personally to be and appear at the Council-Chamber, commonly known or called by the name of the Council-Chamber at Whitehall, upon the 4th day of July next ensuing the date hereof; then and there to take upon you the said trust unto which you are hereby called and appointed, to serve as a member for the county of . And hereof you are not to fail. Given under my

* Mr. Whitlocke says, "That, upon this Declaration, he and his colleagues, commissioners of the great seal, proceeded to do business, considering they had their authority from the late parliament, though they had delayed it till this Declaration was published."

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hand and seal the 6th day of June, 1653. O. CROMWELL."

Cromwell's Speech to his new Parliament.] July 4. In pursuance of the foregoing Summons, this most extraordinary Convention assembled themselves together; the Account of which we shall give, as then published by authority, in the following terms:* "This being the day appointed by the letters of summons from his excellency the Lord-General, for the meeting of the persons called to the Supreme Authority, there came about 120 of them to the Council-Chamber in Whitehall. After each person had given in a ticket of his name, they all entered the room and sat down in chairs, appointed for them, round about the table: then his excellency the Lord-General standing by the window, opposite to the middle of the table, and as many of the Officers of the Army as the room could well contain, some on his right hand and others on his left, and about him, made the following Speech to the assembly:†

"Gentlemen; I suppose the summons that hath been instrumental to bring you hither, gives you well to understand the cause of your being here. Howbeit, having something to impart, which is an Instrument drawn up by the consent and advice of the principal Officers of the Army, which is a little, as we conceive, more significant than that other summons, we have that here to tender you: and we have somewhat further likewise to say to you for our own exoneration, and we hope it may be somewhat further to your satisfaction; and therefore seeing you sit here somewhat uneasy, by reason of the scantness of the room and the heat of the weather, I shall contract myself with respect to that.—I have not thought it amiss a little to remind you of that series of providence, wherein the Lord hitherto hath dispensed wonderful things to these nations, from the beginning of our troubles to this very day. If I should look much backward, we might remember the state of affairs as they were before the short, and that which was the last, parliament; in what a posture the things of this nation stood, doth so well, I presume, occur to all your memories and knowledge, that I shall not need to look so far backward, nor yet to the beginning of those hostile actions that past between the king that was and the then parliament. And, indeed, should I begin this labour, the things that would fall necessarily before you, would rather be fit for a history, than for a discourse at this present.—But thus far we may look back: you very well know, after divers turnings of affairs, it pleased God, much about the midst of this war, to winnow, as I may say, the forces of this nation, and to put them into the hands of men of other principles than those that did engage at the first. By what strange providences that also was brought about, would ask more time than is allotted me to remember you of. Indeed there are stories that do recite those transactions, and give narratives of matter of fact; but those things wherein the life and power of them lay, those strange windings and turnings of providence, those very great appearances of God in crossing and thwarting the designs of men, that he might raise up a poor and contemptible company of men, neither versed in military affairs, nor having much natural propensity to them, even through the owning of a principle of Godliness, of Religion; which so soon as it came to be owned, and the state of affairs put upon that foot of account, how God blessed them and all undertakings, by the raising of that most improbable, despicable, contemptible means, for that we must for ever own, you very well know.—What the several successes have been, is not fit to mention at this time neither, though I must confess I thought to have enlarged myself upon this subject; forasmuch as the considering the works of God, and the operation of his hands, is a principal part of our duty, and a great encouragement to the strengthening of our hands, and of our faith for that which is behind. And then having given us those marvellous dispensations amongst other ends, for that was a most principal end, as to us, in this revolution of affairs, and issues of those successes God was pleased to give this nation, and the authority that then stood, were very great things brought about; besides those dints that were upon those nations and places where they were carried on, even in the civil affairs, to the bringing offenders to justice, even the greatest; to the bringing the state of this government to the name, at least, of a Commonwealth; to the searching and sifting of all places and persons; the king removed and brought to justice, and many great ones with him; the House of Peers laid aside; the house of commons, the representative of the people of England, itself winnowed, sifted, and brought to a handful, as you may very well remember.—And, truly, God would not rest there; for, by the way, although it be fit for us to intitle our failings and miscarriages to ourselves, yet the gloriousness of the work may well be attributed to God himself, and may be called 'his strange Work.' You may remember well that, at the change of the government, there was not an end of our troubles; although that year such things were transacted, as, indeed, made it to be the most memorable year (I mean 1648) that ever this nation saw; so many insurrections, invasions, secret designs, open and public attempts, quashed in so short a time; and this by the very signal appearances of God himself, which I hope we shall never forget.—You know also, as I said before, that as the effect of that memorable year 1648, was to lay the foundation of bringing delinquents to punishment, so it was of the change of the government; although it be true, if we had time to speak, the carriages of some in trust, in most eminent

* Proceedings on State Affairs, No. 197.

† From the original Edition, printed by W. Du-Gard and H. Hills.

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trust, was such as would have frustrated to us the hopes of all our undertakings, had not God miraculously prevented: I mean by that closure that would have been endeavoured with the king, whereby we should have put into his hands all that cause and interest we had opposed, and had nothing to have secured us but a little piece of paper.—But things going on, how it pleased the Lord to keep this nation in exercise both at sea and land, and what God wrought in Ireland and Scotland, you likewise know, until the Lord had finished all that trouble upon the matter, by the marvelous salvation wrought at Worcester. I confess to you I am very much troubled in my spirit, that the necessity of affairs doth require that I should be so short in these things, because I told you before, this is the leanest part of the transaction, to wit, An historical Narration; there being in every dispensation, (whether the King's going from the Parliament, the pulling down the Bishops, purging the House at that time by their going away to assist the king, or change of government) whatever it was, not any of these things but hath a remarkable point of providence set upon it, that he that runs may read. Therefore I am heartily sorry that, in point of time, I cannot be particular in those things which I did principally design this day, thereby to provoke and stir up your hearts and mine to gratitude and confidence.—I shall now begin a little to remember you the Passages that have been transacted since Worcester Fight; whence coming with my fellow-officers and soldiers, we expected, and had some reasonable confidence that our expectations should not be frustrated; that the authority that then was, having such a history to look back unto, such a God that appeared for them so eminently, so visibly, that even our enemies many times confessed that God himself was engaged against them, or they should never have been brought so low, nor disappointed in every undertaking: for that may be said, (by the way) had we miscarried but once where had we been? I say we did think, and had some reasonable confidence, that coming up then, the mercies that God had shewed, the expectations that were in the hearts of all good men, would have prompted those that were in authority to have done those good things which might, by honest men, have been judged a return fit for such a God, and worthy of such mercies; and indeed a discharge of duty to those for whom all these mercies have been shewed, that is, the interest of the three nations, the true interest of the three nations.—And if I should now labour to be particular in enumerating some businesses that have been transacted from that time, till the dissolution of the late parliament, indeed I should be upon a theme that would be very troublesome to myself: for I must say for myself and fellow-officers, we have rather desired and studied healing than to rake into sores, and look backward to render things in those colours that would not be very well pleasing to any good eye to look upon. Only this we must say, for our own exoneration, and as thereby laying some foundation for the making evident the necessity and duty that was incumbent upon us to make this last great change; I think it will not be amiss to offer a word or two in that, not taking pleasure to rake into the business, were there not some kind of necessity so to do. Indeed we may say, without commending ourselves, I mean myself and those gentlemen that have been engaged in the military affairs, that upon our return we came fully bent, in our hearts and thoughts, to desire and use all fair and lawful means we could to have had the nation to reap the fruit of all that blood and treasure that had been expended in this cause; and we have had many desires and thirstings in our spirits, to find out ways and means wherein we might any ways be instrumental to help it forward; and we were very tender, for a long time, so much as to petition; till August last, or thereabouts, we never offered to petition. But some of our then members and others having good acquaintance and relation to divers members of the parliament, we did, from time to time, solicit that which we thought (if there had been nobody to prompt them, nobody to call upon them) would have been listened to, out of ingenuity and integrity in them that had opportunity to have answered our expectations: and, truly, when we saw nothing would be done, we did, as we thought, according to our duty, remind them by a Petition; which we delivered either in July or August last. What effect that had is likewise very well known; the truth is, we had no return at all; all the satisfaction for us was but a few words given us; the businesses petitioned for, most of them, we were told, were under consideration, and those that were not had very little or no consideration at all.—Finding the people dissatisfied in every corner of the nation, and bringing home to our doors the non-performance of those things that had been promised, and were, of due, to be performed, we did think ourselves concerned; we endeavoured, as became honest men, to keep up the reputation of honest men in the world, and therefore we had divers times endeavoured to obtain a meeting with divers members of parliament, and truly we did not begin this till Oct. last; and in those meetings did, in all faithfulness and sincerity, beseech them that they would be mindful of their duty to God and man, and of the discharge of their trust to God and man. I believe that many of these gentlemen who are here, can tell that we had at the least 10 or 12 meetings, most humbly begging and beseeching them that, of their own accords, they would do those good things that had been promised; that so it might appear they did not do them by any suggestion from the Army, but of their own ingenuity; so tender were we to preserve them in the reputation and opinion of the people to the uttermost. And having had many of those meetings, we declared plainly that the issue would be the

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Judgment and displeasure of God against them, the dissatisfaction of the people, and the putting things into a confusion; yet how little we did prevail we well know, and we believe is not unknown to you.—At the last, when we saw indeed that things would not be laid to heart, we had a serious consideration amongst ourselves what other way to have recourse unto; and when, indeed, we came to those close considerations, they began to take the act of the new representative to heart, and seemed exceeding willing to put it on; the which had it been done, or would it have been done, with that integrity, with that caution, that would have saved this cause, and the interest we have been so long engaged in, there could nothing have happened, to our judgment, more welcome than that would have been: but finding plainly that the intendment of it was not to give the people that Right of Choice, but the seeming to give the people that choice was intended and designed only to recruit the house, the better to perpetuate themselves: and truly having, divers of us, been spoken to to that end, that we should give way to it, a thing to which we had a perpetual aversion, which we did abominate the thoughts of, we always declared our judgments against it, and our dissatisfaction; but yet they would not hear of a new Representative till it had laid 3 years before them, without proceeding with one line considerably in it; nay, they could not endure to hear of it: then when we came to our close considerations, then, instead of protracting, they did make as much preposterous haste on the other hand, and ran into that extremity; and finding that this spirit was not according to God, and that the whole weight of this cause, which must needs have been very dear unto us, who have so often adventured our lives for it, and we believe is so to you; when we saw plainly that there was not so much consideration how to assert it, or to provide security for it, but indeed to cross those that they reckoned the most troublesome people they had to deal with, which was the Army, who, by this time, was sufficiently their displeasure: I say, when we that had the power in our hands, saw that to let the business go to such an issue as this, was to throw back the cause into the hands of them we first fought with, we came to this first conclusion amongst ourselves, That if we had been fought out of it, necessity would have taught us patience; but to have it taken from us so unworthily, we should be rendered the worst people in the world, and we should become traitors both to God and man. And when God had laid this to our hearts, and that we found the interest of his people was grown cheap, and not laid to heart, and if we came to competition of things, the cause even amongst themselves would (even almost in every thing) go to the ground: this did add more consideration to us, that there was a duty incumbent on us. And, truly, I speak it in the presence of some that are here, that were at the close consultations (I may say) as before the Lord, the thinking of an act of violence was to us worse than any engagement that ever we were in yet; and worse to us than the utmost hazard of our lives that could be; so unwilling were we, so tender were we, so desirous were we, if it were possible, that these men might have quit their places with honour: and, truly, this I am the longer upon, because it hath been, in our hearts and consciences, our justification; and hath never yet been imparted thoroughly to the nation; and we had rather begin with you to do it, than to have done it before; and do think indeed that these transactions be more proper for a verbal communication than to have been put in writing. I doubt whosoever had put it into writing, would have been tempted to have dipt his pen in anger and wrath; but affairs being at this posture, that we saw plainly and evidently, in some critical things, that the cause of the people of God was a despised thing; truly then we did believe that the hands of other men must be the hands that must be trusted with it; and then we thought it high time for us to look about us, and to be sensible of our duty. If I should take up your time to tell you what instances we have to satisfy our judgments and consciences that these things were not vain imaginations, that were petitioned for, but that fell within the compass of our certain knowledge and sense; should I repeat these things to you, I should do that which I would avoid, to rake into these things too much. Only this: if anybody were in competition for any place of real and signal trust, how hard and difficult a thing it were to get any thing to be carried without making parties, without things indeed unworthy of a parliament; and when things must be carried so in a Supreme Authority, indeed I think it is not as it ought to be. But when it came to other trials, in that case of Wales, which I must confess, for my own part, I set myself upon; if I should inform what discountenance that business of the poor people of God there had, who had men watching over them like so many wolves, ready to catch the lamb as soon as it was brought out into the world: how signally they threw that business under foot, to the discountenancing of the honest people there, and the countenancing of the malignant party of this Common-wealth, I need but say it was so; many have felt, by sad experience, it was so, who will better impart that business to you, which (for myself and fellow-officers) I think was as perfect a trial of their spirits as any thing; it being known to many of us, that God kindles a seed there, indeed, hardly to be paralleled since the primitive times.—I would this had been all the instances; but finding which way their spirits went, and finding that good was never intended to the people of God; I mean, when I say so, that large comprehension of them under the several forms of godliness in this nation; when I saw that tenderness was forgotten to them all, (though

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it was very true that by their hands and means, through the blessing of God, they sat where they did) and affairs (not to speak it boastingly) had been instrumentally brought to that issue they were brought to by the hands of those poor creatures, we thought this an evil requital. I will not say they were at the uttermost pitch of reformation, although I could say that in one thing, the regulation of the law, so much groaned under in that posture it now is in, there were many words spoken for it; we know, many months together was not time enough to pass over one word called 'Incumbrances.' I say, finding that this was the spirit and complexion of them, that though these were faults for which no man should have dared to lift his hand, simply for these faults and failings, yet when we saw their intendment was to perpetuate themselves and men of this spirit, for some had it from their own mouths, from their own designs, who could not endure to hear of being dissolved; this was an high breach of trust, if they had been a parliament never violated, sitting as free and as clear as ever any sat in England; yet if they would go about to perpetuate themselves, we did think this to be so high a breach of trust, as greater could not be. And we did not go by guess in this; and, to be out of doubt in it, we (having that conference among ourselves, whereof we gave account) did desire once more, the night before the dissolution, (and it had been in our desires some 2 or 3 days before) that we might speak with some of the principal persons of the house, that we might, with ingenuity, open our hearts to them, to the end we might be either convinced of the ground of their principles and intentions to the good of the nation; or, if we could not be convinced, they would hear our offer, or expedient, to prevent this mischief; and indeed we could not prevail for 2 or 3 days, till the night before the dissolution. There is a touch of this in that our Declaration; we had often desired it, and at that time attained it; there were above 20 of them who were members, none of the least consideration for interest and ability, with whom we desired to discourse those things, and had discourse with them; and it pleased the gentlemen Officers of the Army to desire me to offer their sense to them, and indeed it was shortly carried thus: we told them the reason of our desire to wait upon them was, to know what security we had in the way of their proceeding so hastily with their Act for a new Representative, wherein they had made a few qualifications, such as they were; but how the whole business should be executed we had no account of, which we desired them to give us; for we thought we had an interest in our lives, estates, and families, as well as the worst people of the nation, and that we might be bold to ask satisfaction in that; and if they did proceed in honest ways, as might be safe to the nation, we might acquiesce therein. When we pressed them to give satisfaction in this, the Answer was, That nothing could be good for the nation but the Continuance of this Parliament. We wondered that we should have such a return; we said little to that.—But seeing they would not give us that which might satisfy us that their way was honest and safe, they would give us leave to make our Objections: we did tell them, That we thought that way they were going in would be impracticable: we could not tell them how it would be brought to pass, to send out an act of parliament into the country, to have Qualifications in an Act to be the rules of electors and elected, and not to know who should execute this; desiring to know whether the next parliament were not like to consist of all Presbyterians? Whether those Qualifications would hinder them, or Neuters? And though it be our desire to value and esteem persons of that judgment, only they having, as we know, deserted this cause and interest upon the king's account, and on that closure between them and the neighbour nation, we do think we must confess we had as good have delivered up our cause into the hands of any, as into the hands of interested and biassed men; for it is one thing to live friendly and brotherly; to bear with, and love, a person of another judgment in religion; another thing to have any so far set into the saddle upon that account, as that it should be in them to have all the rest of their brethren at mercy. Having had this discourse, making these Objections of bringing in Neuters, or such as should impose upon their brethren, or such as had given testimony to the king's party; and objecting to the danger of it, in drawing the concourse of all people to arraign every individual person, which indeed did fall obviously in, (and the issue would certainly have been the putting it into the hands of men that had little affection to this cause) it was confessed by some that these Objections did lye: but Answer was made by a very eminent person, at the same time as before, That nothing would save the nation but the Continuance of this Parliament. This being so, we humbly proposed an expedient of ours, which was indeed to desire that the government, being in that condition it was, and things being under so much ill sense abroad, and so likely to come to confusion in every respect, if it went on; we then desired they would devolve the trust over to persons of honour and integrity, that were well known, men well affected to religion and the interest of the nation; which we told them, and was confessed, had been no new thing, when these nations had been under the like hurly-burly and distractions; and it was confessed by them, it had been no new thing. We had been at labour to get precedents to convince them of it; and we told them those things we offered, out of that deep sense we had of the good of the nation, and the cause of Christ; but were only answered, That nothing would save the nation but the Continuance of that Parliament. Although they would not say they would perpetuate it, at that time

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least of all, yet we found their endeavours did directly tend to it; for they gave us this Answer, That the things we had offered were of a tender and very weighty consideration. They did make objections how we should raise Money, and some other objections: we told them, that we offered as an expedient, because we thought it better than that for which no reason was, or thought would be given. We desired them to lay the thing seriously to heart: they told us they would take consideration of these things till the morning; that they would sleep upon them. And I think that there was scarce any day that there sat above 50, 52, or 53. At the parting, 2 or 3 of the chief ones, the very chiefest of them, did tell us, That they would endeavour the suspending the proceedings of the Representative the next day, till they had a further conference, and we did acquiesce; and had hope, if our expedient could take up a loving debate, that the next day we should have some such issue thereof as would have given a satisfaction to all.—They went away late at night; and the next morning, we considering how to order that which we had to offer to them when they were to meet in the evening, word was brought they were proceeding with a Representative with all the eagerness they could. We did not believe persons of such quality could do it. A second and a third messenger told us they had almost finished it, and had brought it to that issue, with that haste as had never been known before; leaving out the things that did necessarily relate to due Qualifications, as we have heard since; and resolved to make it a Paper Bill, not to engross it, that they might make the quicker dispatch of it: thus to have thrown all the liberties of the nation into the hands that never bled for it: upon this account we thought it our duty not to suffer it, and upon this the house was dissolved.—This we tell you, that you may so know that what hath been done in the Dissolution of this parliament, was as necessary to be done as the preservation of this cause; and that necessity that led us to do that, hath brought us to this issue of exercising an extraordinary way and course to draw yourselves together upon this account, as you are men who know the Lord, and have made observations of his marvelous dispensations, and may be trusted with this cause. It remains (for I shall not acquaint you further with what relates to your taking upon you this great business, that being contained in this Paper in my hand, which I do offer presently to you to read) having done that which we thought to have done upon this ground of necessity, which we know was not feigned necessity, but real and true, to the end the government might not be at a loss; and to the end we might manifest to the world the singleness of our hearts and integrity, who did those things, not to grasp after the power ourselves to keep it in a military hand, no not for a day, but, as far as God enables us with strength and ability, to put it into the hands that might be called from several parts of the nation: This necessity, I say, and we hope may say, for ourselves, this integrity, of labouring to divest the sword of all power and authority in the civil administration of it, hath been that that hath moved us to conclude of this course; and, having done that, we think we cannot, with the discharge of our consciences, but offer somewhat unto you, as I said before, for our own exoneration; it having been the practice of others who have voluntarily, and out of sense of Duty, divested themselves, and devolved the government into the hands of others; it having been the practice where such things have been done, and very consonant to reason, together with the authority to lay a charge in such a way, as we hope we do, and to press to the duty, which we have a word or two to offer to you.—Truly God hath called you to this work by (I think) as wonderful providences as ever passed upon the sons of men in so short a time. And truly, I think, taking the argument of necessity, (for the government must not fall) taking the appearances of the will of God in this thing, I am sure you would have loath it should have been resigned into the hands of wicked men and enemies. I am sure God would not have it so; it comes therefore to you by way of necessity; it comes to you by the way of the wise providence of God, though through weak hands: and therefore, I think, it coming through our hands, though such as we are, it may not be taken ill, if we offer to you something as to the discharge of that trust which is incumbent upon you. And although I seem to speak that which may have the face of a charge, it is a very humble one; and he that means to be a servant to you, who are called to the exercise of the Supreme Authority, to discharge that which he conceives is his duty, in his own and his fellows names; to you who, I hope, will take it in good part. And, truly, I shall not hold you long in that, because I hope it is written in your hearts to approve yourselves to God; only this Scripture I shall remember to you which hath been much upon my Spirit, Hosea, xi. 12. 'Yet 'Judah ruleth with God, and is faithful among 'the Saints;' it is said before, 'Ephraim did 'compass God about with lies, and Israel with 'deceit:' How God hath been compassed about with Fastings and Thanksgivings, and other exercises and transactions, I think we have all to lament. Why, truly you are called by God to rule with him and for him: and you are called to be faithful with the Saints, who have been somewhat instrumental to your call: 'He that ruleth over men,' the Scripture saith, 'must be just, ruling in the fear 'of God.'—And, truly it is better that we should pray for you than counsel you to exercise the judgment of mercy and truth; I say, it is better that we should pray for you than to advise you. 'Ask wisdom from Heaven (which I am confident many thousands of Saints do this day, and have done, and will do, through the permission of God, and his assist-

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ance) to advise you: only, truly, I thought of a Scripture likewise, that seems to be but a scripture of common application to every man as a Christian, wherein he is counselled to ask wisdom; and he is told what is that Wisdom that is from above; 'it is pure, peaceable, 'gentle, easy to be intreated, full of good 'fruits, without partiality, without hypocrisy;' and my thoughts ran thus upon this, that the executing of the judgment of truth, (for that is the judgment that you must have Wisdom from above for, and that is pure, that will teach you to execute the judgment of truth) and then, if God give you hearts to be easy to be intreated, to be peaceable spirits, to be full of good fruits, bearing good fruits to the nation, to men as men to the people of God, to all in their several stations; this wisdom will teach you to execute the judgment of mercy and truth. And I have little more to say to this; I shall rather bend my prayers for you in that behalf, as I said before, and I know many others do also. Truly, the Judgment of Truth will teach you to be as just towards an unbeliever as towards a believer, and it is our duty to do so. I confess I have often said it foolishly, if I would miscarry I would rather do it to a believer than to an unbeliever; perhaps it is a paradox; but let us take heed of doing it to either, exercising injustice to either; if God fill our hearts with such a spirit as Moses and Paul had, which was not only a spirit for the believers among the people of God, but for the whole people, he would have died for them; and so saith Paul to his countrymen, according to the flesh, he could have died for them: truly this will help us to execute the Judgment of Truth and Mercy also.—A second thing is, to desire you would be faithful with the Saints; and I hope, whatever others may think, it ought to be to us all a matter of rejoicing, that as one person, our Saviour, was touched with our infirmities, that he might be pitiful, I think this Assembly, thus called, is very much troubled with the common infirmity of the Saints, and I hope that will teach you to pity others; that so Saints of one sort may not be our interest; but that we may have respect unto all, though of different judgments: and if I did seem to speak any thing that might seem to reflect upon those of the Presbyterian judgment, I think if you have not an interest of love for them, you will hardly answer this faithfulness to his saints. I confess, in my pilgrimage, and some exercises I have had abroad, I did read that Scripture often in Isaiah, xli. 19. when God gave me and some of my fellows what he would do there and elsewhere, which he performed for us: and what would he do? to what end? 'That he 'might plant in the Wilderness the Cedar and 'the Shittah Tree, and the Myrtle Tree and 'the Palm Tree together.' To what end? 'That they might know, and consider, and 'understand together that the Hand of the 'Lord hath done this, and that the Lord hath 'created it; and that he hath wrought all sal-'vation and deliverance which he hath wrought 'for the Good of the whole Flock:' Therefore I beseech you (but I think I need not) have a care of the whole flock; love all the sheep, love the lambs; love all, and tender all, and cherish all, and countenance all in all things that are good; and if the poorest Christian, the most mistaken Christian, should desire to live peaceably and quietly under you, soberly and humbly desire to lead a life in godliness and honesty, let him be protected.—I think I need as little advise you concerning the Propagation of the Gospel, and encouraging such Ministers, and such a Ministry as be faithful in the land, upon whom the true character is; men that have truly received the spirit for such a use, which Christians will be well able to discover, and do; men that have received gifts for the Work before-mentioned from him that 'ascended on high, and led 'captivity captive.' And truly the Apostle, Romans xii. when he had summed up all the Mercies of God and the Goodness of God; and had discoursed of the foundations of the Gospel, and of the several things that are the subject of his discourse in the first 11 chapters; after he had besought them to 'offer up their 'souls and bodies a living sacrifice to God,' he beseecheth not to 'esteem more highly of 'themselves than they ought,' but that they would be humble and sober minded, and not stretch themselves beyond their line; but would have a regard to those that had received gifts to those uses there mentioned. I speak not (it is far from my heart) for a Ministry deriving itself through the Papacy, and pretending to that which is so much insisted upon to be succession: the true succession is through the spirit, given in that measure that the spirit is given; and that is a right succession: but need I not discourse of these things to you; I am persuaded you are taught of God in a greater measure than myself in these things. Indeed I have but one word more to say, and that is, (though in that perhaps I shall shew my weakness) by way of encouragement to you to go on in this work.—And give me leave to begin thus: I confess I never looked to see such a day as this, it may be nor you; when Jesus Christ shall be owned as he is this day, and in this world: Jesus Christ is owned this day by you all, and you own him by your willingness in appearing here; and you manifest this, as far as poor creatures can, to be a day of the power of Christ by your willingness. I know you remember that Scripture in Psalm cx. 3. 'The People shall be willing in the day of thy 'power,' God doth manifest it to be a day of the power of Jesus Christ. Having through so much blood and so much trials as have been upon these nations, made this to be one of the great issues thereof: to have a people called to the Supreme Authority upon such an avowed account, God hath owned his son by this; and you, by your willingness, do own Jesus Christ; and therefore, for my part, I confess I did never look to see such a sight.—Perhaps you are

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not known by face one to another; but we must tell you this, that indeed we have not allowed ourselves in the choice of one person in whom we had not this good hope, that there was faith in Jesus Christ, and love to all his Saints and people. And thus God hath owned you in the face and eyes of the world; and thus by your coming hither, have you owned him, as it is in Isaiah xliii. 21. (it is an high expression, and look to your own hearts whether now or hereafter God shall apply it to you) 'This People,' saith he, 'have I formed for 'myself, that they might shew forth my 'praise.' It is a memorable place, and, I hope, not unfitly applied: God apply it to each of your hearts. I shall not descant upon the words; they are plain; you are as like the forming of God as ever people were. If any man should ask you one by one, and should tender a book to you, you would dare to swear, that neither directly nor indirectly did you seek to come hither: you have been passive in coming hither, in being called hither; and that is an active word.—'This People I have 'formed.' Consider the circumstances by which you are called together; through what difficulties, through what strivings, through what blood, you are come hither. Neither you nor I, nor no man living, 3 months ago, had a thought to have seen such a company taking upon them or rather being called to, the Supreme Authority; and therefore own your Call. Indeed, I think, as it may be truly said, that never was a Supreme Authority consisting of so numerous a body as you are, which I believe are above 140, who were ever in the Supreme Authority, under such a notion, in such a way of owning of God, and being owned by him; and therefore I say also, never a people formed for such a purpose, so called; if it were a time to compare your standing with those that have been called by the suffrages of the people. Who can tell how soon God may fit the people for such a thing, and who would desire any thing more in the world but that it might be so? I would all the Lord's people were prophets; I would they were fit to be called, and fit to call; and it is the longing of our hearts to see them once own the interest of Jesus Christ: and give me leave to say, if I know any thing in the world, what is there more like to win the people to the interest and love of God? nay what a duty will lie upon you, to have your conversation such, as that they may love you; that they may see you lay out your time and spirits for them? is not this the most likely way to bring them to their liberties? and do you not by this put it upon God to find the time and the season for it? by pouring forth his spirit, at least, by convincing them that, as men fearing God have fought them out of their thraldom and bondage under the regal power, so men fearing God rule them in the fear of God, and take care to administer good unto them. But this is some digression: I say, own your Call; for indeed it is marvelous and it is of God, and it hath been unprojected, unthought of by you and us; and that hath been the way God hath dealt with us all along to keep things from our eyes; that in what we have acted we have seen nothing before us; which also is a witness in some measure to our integrity. I say, you are called with a high Call, and why should we be afraid to say or think, that this way may be the door to usher in things that God hath promised and prophesied of, and to set the hearts of his people to wait for and expect? We know who they are that shall war with the Lamb against his enemies; they shall be a people called, chosen, and faithful; and in the military way, (we must speak it without flattery) I believe you know it, he hath acted with them and for them, and now in the civil power and authority; and these are not ill prognostications for that good we wait for.—Indeed I do think something is at the door, we are at the threshold; and therefore it becomes us to lift up our heads, and to encourage ourselves in the Lord: and we have some of us thought it our duty to endeavour this way, not vainly looking on that prophecy in Daniel, 'And the kingdom shall not be de-'livered to another people.' Truly God hath brought it into your hands, by his owning, and blessing, and calling out a military power; God hath persuaded their hearts to be instrumental in calling you; and this hath been set upon our hearts, and upon all the faithful in the land; it may be that it is not our duty to deliver it over to any other people, and that Scripture may be fulfilling now to us: but I may be beyond my line. But I thank God I have my hopes exercised in these things, and so I am persuaded are yours: truly, seeing that these things are so, that you are at the edge of the promises and prophecies; at least if there were neither promise for this nor prophecy, you covet the best things, you endeavour after the best things; and as I have said elsewhere, if I were to chuse the meanest officer in the Army, or Commonwealth, I would chuse a godly man that hath principles, especially where trust is to be committed, because I know where to have a man that hath principles. I believe if any man of you should chuse a servant you would do so; and I would all our magistrates were so chosen; there may be good effects of this. It is our duty to chuse men that fear the Lord to praise the Lord, yea such as the Lord forms for himself, and he expects not praises from others; this being so, it puts me in mind of another scripture, Psalm lxviii. 22. which indeed is a glorious prophesy, and I am persuaded of the Gospel, or it may be of the Jews also; there it is prophesied, 'He will bring his people again out of the 'depths of the sea, as once he led Israel through 'the Red Sea.' And it may be some do think God is bringing the Jews home to their station from the Isles of the sea: surely when God sets up the glory of the Gospel Church, it shall be a gathering people out of deep waters, out of the multitude of waters; such are his people drawn out of the multitudes of the nations, and

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people of the world. And that Psalm will be very glorious in many other parts of it, 'When 'he gave the Word, great was the company of 'them that published it; kings of the armies 'did flee apace, and she that tarried at home 'divided the spoil: and although ye have lain 'among the pots yet shall ye be as the wings 'of a dove covered with silver, and her feathers 'with yellow gold.' And indeed the triumph of that Psalm is exceeding high and great, and God is accomplishing it; and for the close of it, that closeth with my heart, and I am persuaded will with yours also, that God shakes hills and mountains and they reel; and God hath a hill too, and his hill is as the hill of Bashan; and the chariots of God are 20,000 of angels, and God will dwell upon this hill for ever.—Truly, I am sorry that I have troubled you, in such a place of heat as this is, so long; all that I have to say in my own name, and in the names of my fellow-officers, who have joined with me in this work is, That we shall commend you to the grace of God, and to the guidance of his Spirit. Having thus far served you, or rather our Lord Jesus Christ in it, we are, as we hope, and shall be ready in our stations, according as the providence of God shall lead us, to be subservient to the work of God, and the authority which we reckon God hath set over us. And although we have no formal thing to present you with, to which the hands and outward visible expressions of the hearts of the Officers of the three nations are set; yet we may say for them, and we may say also with confidence for our brethren at sea, with whom, neither in Scotland nor Ireland, nor at sea, hath any artifice been used to persuade their approbations to this work; yet we can say, that their consent and affections hath flowed into us from all parts beyond our expectations: and we are confident we may say with all confidence, that we have had their approbations and full consent, unsought indeed to the other work; so that you have their hearts and affections in this; and not only they, but we have very many papers from the Churches of God throughout the nation, wonderfully both approving what hath been done in removing obstacles, and approving what we have done in this very thing. And having said this, I shall trouble you no more; but if you will be pleased that this Instrument may be read, which I have signed by the advice of the Council of Officers, we shall then leave you to your own thoughts, and to the guidance of God, to order and dispose of yourselves for further meetings as you shall see cause.—I have only this to say further, That the affairs of the nation laying on our hands to be taken care of, and knowing that both the affairs at sea, the armies in Ireland and Scotland, and the providing of things for the preventing of inconveniences, and the answering of all emergencies, did require that there should be no interruption; but that care ought to be taken for these things. And foreseeing likewise, that, before you could digest yourselves into such a method as you may think best, both for place, time, and other circumstances, in the way you shall purpose to proceed in, you would ask some time, which the Commonwealth would not bear, in respect of the managing of things, I have, within a week, set up a Council of State, to whom the managing of affairs is committed; who, I may say, very voluntarily and freely, before they see how the issue of things would be, engaged themselves in business, 8 or 9 of them being members of the house that late was, I say, I did exercise that power that I thought was devolved upon me at that time, to the end that affairs might not have any interval: and now, when you are met, it will ask some time for the settling of your affairs, and your way, and a day cannot be lost, but to be in a continual Council till such time as you shall take further order; so that the whole matter of their considerations are also at your disposal, as you shall see cause; and therefore I thought it my duty to acquaint you with thus much, that you may not be distracted in your way, that things have been thus ordered, that your affairs will go on till you see cause to alter this Council, they having no authority, nor longer to sit than until you shall take further order."

The Authority before cited proceeds to inform us, "That when the lord-general Cromwell had ended this very grave, christian, and seasonable speech*, his excellency produced an Instrument under his own hand and seal, whereby he did, with the advice of his Officers, devolve and intrust the Supreme Authority and Government of this Commonwealth unto the persons then met; any 40 of whom were to be deemed the Supreme Authority of the Nation, and to whom all persons within the same were to yield obedience and subjection; but not to sit longer than the 3d of Nov. 1654; and then other members being called, were to succeed them: That the said Instrument being, by his excellency, delivered to them, he did then commend them to the grace of God. After which, his lordship and the officers being withdrawn, the said persons so met, and having the Supreme Authority put into their hands, after a short space, adjourned until the morning, and appointed to meet where the late parliament sat; there to keep that day in Fasting and Prayer, to seek God for direction in this great work, and for his presence and blessing therein; and all the said persons at their meeting, and all the time of their being together, manifested a very great chearfulness and willingness to this work."

List of the New Parliament; commonly called BAREBONE'S PARLIAMENT.] Before we enter upon the Proceedings of this Convention, we

* Mr. Carrington, in his Life of Cromwell, asserts, "That this Speech was pronounced in so excellent a manner, as sufficiently manifested that (as the lord-general himself was thoroughly persuaded) the Spirit of God acted in and by him."

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shall first exhibit a List of the Names of the persons of whom it consisted, with the places they were summoned to represent, viz.

Bedfordshire.
Nathaniel Taylor,
Edward Cater.
Berkshire.
Samuel Dunch,
Vincent Goddard,
Thomas Wood.
Buckinghamshire.
George Fleetwood,
George Baldwin.
Cambridgeshire.
John Sadler,
Thomas French,
Robert Castle,
Samuel Warner.
Cheshire.
Col. Rt. Duckenfield,
Henry Birkhead.
Cornwall.
Col. Robert Bennet,
Francis Langden,
Anthony Rous,
John Bawden.
Cumberland.
Col. Robert Fenwick.
Derbyshire.
Jervase Bennet,
Col. Nathan. Barton.
Devonshire.
George Monk,
John Carew,
Maj. Tho. Saunders,
Christopher Martin,
James Erisey,
Fran. Rouse, Speaker,*
Richard Sweet.
Dorsetshire.
Col. Wm. Sydenham,
Col. John Bingham.
Durham.
Henry Davison.
Essex.
Col. Joac. Matthews,
Henry Barrington,
John Brewster,
Christopher Earl,
Dudley Templer.
Gloucestershire.
John Crofts,
William Neast,
Robert Holmes.
Herefordshire.
Wroth Rogers,
John Herring.
Hertfordshire.
Col. Henry Laurence,
William Reeve.
Huntingdonshire.
Col. Edw. Montagu,
Stephen Pheasant.
Kent.
Lord Visc. Lisle,
Col. Thomas Blount,
Col. Wm. Kenrick,
William Cullen,
Andrew Broughton.
Lancashire.
Col. Wm. West,
John Sawrey,
Robert Cunliffe.
Leicestershire.
Col. Henry Danvers,
Edward Smith,
John Pratt.
Lincolnshire.
Sir Wm. Brownlow,
Richard Cust,
Barnaby Bowtell,
Humphry Walcot,
William Thompson.
Middlesex.
Sir William Roberts,
Augustine Wingfield,
Arthur Squibb.
London.
Ald. Rob. Titchburne,
Ald. John Ireton,
Samuel Moyer,
John Langley,
Capt. John Stone,
Henry Barton,
Praise-God Barebone.†
Monmouthshire.
Col. Philip Jones.
Norfolk.
Robert Jermy,
Tobias Frere,
Ralph Wolmer,
Henry King,
William Burton.
Northamptonshire.
Sir Gilb. Pickering, Bt.
Thomas Brooke.
Northumberland.
Henry Ogle.
Nottinghamshire.
John Odinsels,
Edward Cludd.
Oxfordshire.
Sir Charles Wolseley,
William Draper,
Dr. Jonath. Goddard.
Rutlandshire.
Maj. Edw. Horseman.
Shropshire.
William Bottrell,
Thomas Baker.
Somersetshire.
Robt. Blake, one of the Generals at Sea,
Col. John Pine,
Dennis Hollister,
Henry Henley.
Southamptonshire.
Col. Richard Norton,
Richard Major,
John Hildesley.
Staffordshire.
George Bellot,
John Chetwood.
Suffolk.
Jacob Caley,
Francis Brewster,
Robert Dunkon,
Col. John Clark,
Edward Plumstead.
Surrey.
Samuel Highland,
Lawrence March.
Sussex.
Anthony Stapeley,
William Spence,
Nathaniel Studeley.
Warwickshire.
John St. Nicholas,
Richard Lucy.
Westmoreland.
Col. Charles Howard.

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* Provost of Eaton College, and Member for Truro in the late Parliament. He published a Translation of the Psalms.

† "Among the fanatics of the house, there was an active member, much noted for his long prayers, sermons, and harangues. He was a Leather-seller in London: his name *Praise-God Barebone.* This ridiculous name, which seems to have been chosen by some poet or allegorist to suit so ridiculous a personage, struck the fancy of the people, and they commonly affixed to the Assembly the appellation of *Barbone's Parliament.* It was usual for the pretended saints at that time to change their names from Henry, Edward, Anthony, William, which they regarded as heathenish, into others more sanctified and godly: even the New Testament names, James, Andrew, John, Peter, were not held in such regard as those which were borrowed from the Old Testament, Hezekiah, Habbakuk, Joshua, Zerobabel. Sometimes a whole godly sentence was adopted as a name. Here are the names of a jury said to be enclosed in the county of Sussex about that time.

Accepted, Trevor of Norsham.
Redeemed, Compton of Battle.
Faint not, Hewit of Heathfield.
Make Peace, Heaton of Hare.
God Reward, Smart of Fivehurst.
Standfast on High, Stringer of Crowhurst.
Earth, Adams of Warbleton.
Called, Lower of the same.
Kill Sin, Pimple of Witham.
Return, Spelman of Watling.
Be Faithful, Joiner of Britling.
Fly Debate, Roberts of the same.
Fight the good Fight of Faith, White of Emer.
More Fruit, Fowler of East Hadley.
Hope for, Bending of the same.
Graceful, Harding of Lewes.
Weep not, Billing of the same.
Meek, Brewer of Okeham.

See Brome's Travels in England, p. 279. "Cromwell," says Cleveland, "hath beat up his drums clean through the Old Testament. You may learn the genealogy of our Saviour by the names of his regiment. The muster-master has no other list than the first chapter of St. Matthew." The brother of this Praise-God Barebone had for name, *If Christ had not died for you, you had been damned Barebone.* But the people, tired of this long name, retained only the last word, and commonly gave him the appellation of *Damned Barebone.*" Hume.

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Wiltshire.
Sir A. Ashley Cooper,
Nicholas Green,
Thomas Eyre.
Worcestershire.
Major Rich. Salway,
Col. John James.
Yorkshire.
George Lord Eure,
Walter Strickland,
Francis Lascelles,
John Anlaby,
Thomas Dickenson,
Thomas St. Nicholas,
Roger Coats,
Edward Gill.
WALES.
Bussy Mansell,
James Philips,
John Williams,
Hugh Courteney,
Richard Price,
John Brown.
SCOTLAND.
Sir Js. Hope, of Hopton
Alexander Brodie,
John Swinton,
William Lockhart,
Alexander Jeffrys.
IRELAND.
Sir Robert King,
Col. John Hewson,
Col. Henry Cromwell
Col. John Clark,
Col. Dan. Hutchinson,
Vincent Gookin.

We shall now look into the Historians of the times for the characters of these persons, who, in this unconstitutional manner, took upon them the supreme Authority of three nations. Lord Clarendon writes, "That there were amongst them divers of the quality and degree of gentlemen, and who had estates, and such a proportion of credit and reputation, as could consist with the guilt they had contracted: but that much the major part of them consisted of inferior persons, of no quality or name, artificers of the meanest trades, known only by their gifts in praying and preaching, which was now practised by all degrees of men, but scholars, throughout the kingdom: and in this number, that there might be a better judgment made of the rest, his lordship thought it not amiss to name one, from whom that parliament itself was afterwards denominated, who was *Praise-God Barebone*, a Leatherseller in Fleet-Street; from whom, he being an eminent Speaker in it, it was afterwards called "Praise God Barebone's Parliament:" and that, in a word, they were generally a pack of weak senseless fellows, fit only to bring the name and reputation of parliaments lower than it was yet."—Mr. Heath styles them "A set of men for the most part of such mean and ignote extraction, that so far were they from being taken notice of by their shires, each of whom (but two or three) represented, that they were scarce known in the very towns where they were born, or afterwards inhabited, till the Excise, then Committees for Sequestration, and the war in the respective counties, made them infamously known: and that the rest were of Cromwell's partizans in the parliament and high court of justice."

We have before taken notice, That, after Cromwell had harangued the new members at Whitehall, and invested them with the Supreme Authority of the nation, they resolved to meet at the old parliament-house the next day: accordingly, about 8 in the morning, many of them assembled there, where, say our Authorities above cited, "They began with seeking God by prayer; and the Lord did so draw forth the hearts of them, that they did not find any necessity to call for the help of a minister, but performed the service amongst themselves; 8 or 10 speaking in prayer to God, and some briefly from the word; minding what the lord-general had said to them at Whitehall the day before; and what expectation God's people had in this Commonwealth for them to do, in the Work of the Lord; and by prayer, seeking to God for direction and assistance in this great work, and for a blessing upon their endeavours therein: that much of the presence of Christ, and his spirit, appeared at that time, to the great gladding of the hearts of many; some affirming they never enjoyed so much of the spirit and presence of Christ in any of the meetings and exercises of religion in all their lives, as they did that day." About 6 in the evening they proceeded to business, and resolved, That Francis Rouse, esq. be called to the Chair. This was the only ceremony they used in appointing their Speaker; and it was afterwards declared, That such persons as were called to the chair, in that manner, should be stiled Speaker. A Committee was nominated to go to the Lord-General, and desire him to afford his presence and assistance as a member of the house: they also resolved that major-generals Lambert, Harrison, Desborough, and col. Tomlinson, should be called to sit as members; and appointed Mr. Scobell their clerk.

July 6. The question being put, That the house go on in seeking the Lord this day, it passed in the Negative, and Monday the 11th was appointed for that holy exercise. They next fell into a debate about the Style or Title wherein all Addresses should be made to the house: and the question being put, That the Title of 'Parliament' be given to this Assembly, the house divided into Yeas, 65; Noes, 46. And the further debate concerning what Addition should be made to the word 'Parliament,' was referred to the next day, when these words 'of the Commonwealth of England,' were added to it.

July 9. The house proceeded to elect a new Council of State, though upon the last foundation; who were to act by the same Instructions, with some few Additions and Alterations. The number that was to constitute this body was 31, of which 9 were to be a quorum.

July 11. This day was spent wholly by the house in SEEKING THE LORD*, in a special mannner, for counsel, and a blessing on the proceedings of this parliament; when about 12

* Sir Roger L'Estrange observes, upon the pretended saints of these times, "That they did not set one step in the whole train of this iniquity without *seeking the Lord* first, and going up to inquire of the Lord, according to the cant of those days: which was no other than to make God the author of sin, and to impute the blackest practices of Hell to the inspiration of the Holy Ghost." Reflections upon Poggius's Fable of the Husband, Wife, and Ghostly Father, part. i. fab. 357.

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of the members prayed and spoke till 4 in the afternoon. The Lord-General was present, and it was a comfortable day.—We have before observed, That this house had no occasion for a Chaplain: and from this day their constant method was, That as soon as about a dozen members were met, they began with Prayer; and so continued praying, one after another, till there was a sufficient number assembled to make up a house; and then the Speaker took the chair.

July 12. A Committee was appointed to draw up a Declaration, to invite the people of this Common-wealth to seek unto the Lord for the same blessing; which was done accordingly.

July 13. The house revived the consideration of the Bill, never got through in the last parliament, for correcting the Grievances and Inconveniences in the Proceedings of the Law; and also another on the business of Tythes.

Committees appointed to redress Grievances, correct Abuses, and settle Public Affairs.] July 20. The house nominated divers Committees; and, besides those for Scotland and Ireland, there was one for the business of the Law; another for the Army; for inspecting the Treasuries and regulating the officers thereof and their salaries; for receiving Petitions; for Trade and Corporations; for receiving Proposals for the Advantage of the Common-wealth; for the Poor, and inquiring into the Revenues of Hospitals; for regulating the Commissions of Peace throughout the nation; for Public Debts; for receiving Accusations of Bribery, public Frauds, and Breach of public Trust; for Prisons and Prisoners; for Advancement of Learning, and receiving all Propositions tending thereto; and for removing all Laws and Ordinances which are hinderances to the Progress of the Gospel.

August 1. The house being informed how much the country had been burdened, in the manner of collecting the Excise, referred it to a committee to consider how the Excise might be brought in with the greatest ease to the people; and how the oppressions and burdens, in the managing of that business, might be redressed for the future.

Aug. 2. Mr. Rouse having now sat a month in the chair, as Speaker, he took his place as a member; but, by the general voice, was again called to the Chair, to keep it for one month longer; from which time he continued to be chosen Speaker every month, till the Dissolution of this parliament.

Proceedings against Col. Lilburne.] In the proceedings of Feb. 1651, notice was taken that col. Lilburne was ordered by the last parliament to be banished; but hearing of their Dissolution, and the change of government consequent thereon, he ventured to come back to England; and, by letter, applied to Cromwell for protection, which he denying, Lilburne was thrown into Newgate, and soon after ordered to be tried at the Old Bailey; but putting in Exceptions to the Bill of Indictment, the trial was put off to the next sessions. Hereupon a Petition was this day presented to the house, in his favour, intitled, 'The Humble Petition of divers well-affected and constant adherers to the Interest of Parliaments, and their own native and fundamental Rights and Freedoms therein concerned, young Men and Apprentices of the cities of London and Westminster, borough of Southwark, and the parts adjacent.' This Petition was presented by six persons, who being withdrawn, and called in again to the bar, the Speaker asked their names; to which one of them answered, Their names were to the Petition. And being again asked, If he knew of the making of this Petition; he said, He was commanded by the rest of his friends and fellow Apprentices not to answer any questions, but to demand an Answer to their Petition: upon which they were ordered to withdraw, when the house voted the Petition to be a most high breach of the privilege of parliament; scandalous and seditious; and the six persons who delivered it, to be taken into custody of the serjeant at arms; which was done accordingly. They were afterwards sent to Bridewell, there to be kept to hard labour during the pleasure of the house, who also referred it to the Council of State to examine the authors, subscribers, abettors, and printers of this Petition; and resolved, That col. Lilburne should be kept close prisoner.

The Court of Chancery abolished.] Aug. 5. The house took into consideration the business of the High Court of Chancery, and resolved that the same be forthwith taken away; and a Bill was ordered to be brought in for that purpose. An anonymous member of this parliament, who published a short Abstract of their Proceedings,* informs us, "That in the course of the debate the Court of Chancery was called, by some members, the greatest grievance in the nation: others said, That for dilatoriness, chargeableness, and a faculty of bleeding the people in the purse-vein, even to their utter perishing and undoing, that court might compare with, if not surpass, any court in the world: that it was confidently affirmed by knowing gentlemen of worth, that there were depending in that court 23,000 causes, some of which had been there depending 5, some 10, some 20, some 30 years, and more: that there had been spent therein many thousands of pounds, to the ruin, nay utter undoing, of many families: that no ship almost that sailed in the sea of the law, but first or last put into that port; and, if they made any considerable stay there, they suffered so much loss, that the remedy was as bad as the disease: that what was ordered one day was contradicted the next, so as in some causes there had been 500 orders and more. That when the purses of the clients began to be empty, and their spirits were a little cooled, then, by a reference to some

* An exact Relation, &c.

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gentlemen in the country, the cause so long depending, at so great a charge, came to be ended; so that some members did not stick to term the Chancery a mystery of wickedness, and a standing cheat. And that, in short, so many horrible things were affirmed of it, that those who were, or had a mind to be, advocates for it, had little to say on the behalf of it; and so at the end of one day's debate, the question being put, it was voted down."—This unanimity of the house is confirmed by the Journals, for it appears by those authorities, that the Resolution for abolishing the Court of Chancery passed without any division.

Severe Proceedings against Lilburne.] Aug. 17. Col. Lilburne was brought to a second Trial at law; and, after a long hearing, was acquitted by his jury, but ordered back to Newgate. Upon his acquittal medals were struck, with his head on one side, and the names of all his Jury on the reverse. But the parliament was so provoked at Lilburne's Acquittal, that they ordered the Council of State to examine the whole business of the Trial; particularly the Judges and Jury upon it. According to this Order, a few days after, sir Anth. Cooper reported from the Council of State, that they had examined into the Proceedings on the late Trial of col. Lilburne; and that the clerks attending there had returned several scandalous and seditious Speeches, spoken by the said Lilburne at his trial, which they took in short hand, an extract of which was read; whereupon the house committed Lilburne to the Tower; and the lieutenant was injoined to detain him there, notwithstanding any Habeas Corpus to be granted by the Upper Bench, or any other Court of Justice, till the parliament should give farther order.—So great a dread had they of this man's popularity, who, from his invincible zeal in opposing the arbitrary proceedings of men in power, under every change of government, was at this time distinguished by the name of *Freeborn John.*

Aug. 25. Great part of this month had been taken up in canvassing a Bill concerning Marriages, and the registering thereof, and also of Births and Burials: this day it passed the house on the question, and was ordered to be printed and published. This extraordinary Act entirely took Marriages out of the hands of the Clergy, and put them into those of the Justices of Peace.

Complaint against seditious Pamphlets.] Oct. 11. The Council of State made a Report to the house, of several seditious and scandalous Pamphlets coming out, tending to the disturbance of the Commonwealth; and that they had employed divers persons to find out the authors, printers, and publishers thereof. One of these, intitled, 'A Charge of High Treason against Oliver Cromwell, Esq. for several Treasons by him committed,' was read, and some Informations taken of the printers, &c. But the house referred this business back to the Council, to prepare and present to them what they thought fit to be done in the case, and for prevention of the like evils for the future.

Several remarkable Bills in Agitation.] A Bill had been brought in, for uniting and incorporating Scotland into one Free State and Commonwealth with England. A Bill was also ordered in, to make those persons incapable of Places who should solicit for them; together with another for regulating the great Exorbitance of Fees in the Law and elsewhere; and for the better Election of Jurors. The house had likewise resolved to reduce the number of Officers in the Excise and other Duties, and lower their respective salaries, in order to a Saving of the public Charge. But all these great matters were left unfinished, in consequence of the sudden Dissolution of the Parliament.

A new Council of State elected.] Nov. 1. This month began with the Election of a Council of State for the ensuing year: a resolution had passed, That 16 of the old Council should stand, and 15 be changed. The form of the Election was much the same as formerly. The members present were 113; and though the house was much divided upon this occasion, yet it is remarkable that the lord general Cromwell had every Vote.

Dec. 1. This Parliament, or rather Convention, began now to be near its period; though several Bills, and some of great moment, lay yet before them unfinished: their great master Cromwell, who had given them the power they sat by, thinking proper, shortly after, to retract that power, and leave them private persons as he found them. They continued, however, to sit and do business as usual, and acted, as if they had not the least apprehension of a dissolution.

The Parliament resolve to surrender back their Power to Cromwell.] Dec. 12. This day we find the following Entry in the Journals, viz. "Monday, Dec. 12. It being moved in the house this day, That the Sitting of this Parliament any longer, as now constituted, will not be for the good of the Commonwealth; and that therefore it was requisite to deliver up unto the lord general Cromwell the powers which they had received from him; and that motion being seconded by several other members, the house rose; and the Speaker, with many of the members of the house, departed out of the house to Whitehall; where they, being the greater number of the members sitting in parliament, did, by a Writing under their hands, resign unto his Excellency their said powers: and Mr. Speaker, attended with the members, did present the same to his Excellency accordingly."

Motives thereto, and the Manner thereof.] This Convention being thus laid aside, without any other notice taken of the suddenness of it, in the Journals, we shall add some Particulars collected into one view, from three different members of this Convention, said to have been present at the Dissolution of it.* "As soon

* 1. An exact Relation of the Proceedings and

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as the Speaker had taken the chair, a member stood up, and spoke to this effect: 'That he must disburden himself of some things that had a long time laid upon his heart: that he was now to speak to the *esse*, or being, rather than the *bene esse*, or well-being, of the Commonwealth; which was ready to sink, through the ill management of the authority intrusted to that Assembly; and that, for his own part, he must resign his power from whence he had it; foreseeing clearly that their waitings and expectations of ever coming on to things of public good were more and more disappointed:' he then instanced the particulars touching the Army, the Clergy, the Law, &c. 'And that, for these considerations, he could not satisfy himself to sit any longer in the house, and so be guilty of bringing confusion and desolation upon the nation; but if any would yet be so hardy as to continue there, he would say unto them, in the words of the prophet, 'Ephraim hath joined himself to idols; let him alone.'—This motion being seconded by two more, with some bitter invectives, another member stood up; and (declaring himself to speak with much disadvantage in that he had not, as the other gentleman, any premeditated thing (as say) told the Speaker, 'He had in his hand an expedient in reference to the things comprehended in the Vote of the 10th of Dec. concerning Tythes, which he hoped would satisfy all; and that the committee for regulating the Law had ready to be offered to the house, several Bills of very great concernment to the good and ease of the people; protesting before God, angels, and men, his dissatisfaction to the proposed resignation, as being destructive to the Commonwealth.' Some gentlemen standing up to second him, were not suffered to speak. Others continued to press the former motion, insisting, 'That it was not now a time to debate:' whereupon the Speaker, though earnestly called on to keep the chair, left it; and the serjeant, as if he had been of his counsel, took up the mace, and carried it before him, though much urged to the contrary. These were instantly joined by the chief clerk, and followed by about 80 members, who went directly to Whitehall, and there subscribed a Resignation of their power to the Lord-General: 30 odd staid in the house till col. Goffe, and major White came in, and intreated them earnestly to go out. To which it was as earnestly replied, That at their personal request they could not, nor would not withdraw, unless compelled by force. Whereupon the officers calling in a file of musketeers, the members withdrew; and some of these went, 3 or 4 days after, and subscribed the Instrument of Resignation. When this Instrument, so signed, was brought to Cromwell, he lifted up his eyes with astonishment; and, with no less seeming modesty, refused to receive it; but, at length, through the importunity of major-gen. Lambert and others, representing to him that the welfare of the nation absolutely required his acceptance of the parliament's Resignation, he thought fit to comply with their request."*

Cromwell declared Lord Protector.] Cromwell having, as before observed, accepted the parliament's Instrument of Resignation, the same day called a Council of Officers and others, and having consulted with them how this great burden of governing England, Scotland, and Ireland, with the Armies therein, and Navies at sea, should be borne, and by whom; after several days seeking of God, and advising therein, it was resolved, That a Council of godly, able, and discreet persons should be named, to consist of not more than 21, nor less than 13: and that his excellency be chosen Lord Protector of the three nations. The Names of this Council were, Henry Lawrence, esq. the president; Philip lord visc. Lisle; the majors general Lambert, Desborough, and Skippon; lieut. general Fleetwood; the colonels Edw. Montagu, Philip Jones, and Wm. Sydenham; sir Gilbert Pickering, sir Ch. Wolseley, and sir Anth. Ashley Cooper, Barts. Francis Rouse, esq. Speaker of the late Convention, Walter Strickland, and Rd. Major, esqrs. most of whom had been principally concerned in bringing about the late Resignation; by which all obstacles to Cromwell's glory being quite removed, he was, 4 days after, declared Lord Protector of England, Scotland, and Ireland: the Form and Manner of which unprecedented Ceremonial we shall describe as particularly as possible.

Form and Manner of Cromwell's Inauguration.] On the 10th of Dec. his Excellency came from Whitehall, attended by the lords commissioners of the great seal, the judges and barons of the several Benches in their robes; and most of the Council of the Commonwealth: the lord mayor and aldermen of London, in their scarlet gowns, with the recorder, town-clerk, and sword-bearer with the cap of maintenance and sword, but not erected, passed immediately before his Excellency; all in their coaches. Last of all came his Excellency himself, in his own coach, dressed in a black velvet suit and cloak, with his life-guard, and divers gentlemen bare before him; many of the chief officers of the Army, with their cloaks and swords, and hats on, passed on foot before and about his coach.—In this equipage his Excellency and attendants came to the Court of Chancery in Westminster-Hall; where was placed a rich chair of state, with a large cushion and carpets on the floor. The lords commissioners of the great seal stood on each side of the chair, and his Excellency on the

Transactions of the Parliament which begun July 4, 1653. By a Member thereof.—2. A true Narrative of the Cause and Manner of the Dissolution of the late Parliament upon the 12th of Dec. 1653, by a Member present at that Transaction.—6. An Answer to the above Narrative, by another Member.

* See also Ludlow's Memoirs, vol. ii. p. 471, and lord Clarendon, vol. vi. p. 484.

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left hand of it, all bare-headed: round about the chair stood all the judges and the Council of State; the lord mayor and aldermen were placed on the right side of the court, and the chief Officers of the Army on the left.

Articles for the future Government of the Commonwealth.] Then, major-general Lambert, after declaring the Dissolution of the Parliament and the great exigency of the times, did, in the name of the Army, and of the three nations, desire the Lord-General to accept of the Protectorship; to which he, with seemingly great reluctance, having given his consent, the following Instrument was read aloud by Mr. Jessop, one of the secretaries of the Council:

The GOVERNMENT of the COMMONWEALTH of England, Scotland, and Ireland, and the Dominions thereunto belonging.

I. "That the Supreme Legislative Authority of the Commonwealth of England, Scotland, and the dominions thereunto belonging, shall be and reside in one Person, and the people assembled in parliament; the style of which Person shall be 'The Lord Protector of the Commonwealth of England, Scotland and Ireland:'

II. That the exercise of the chief Magistracy, and the administration of the Government over the said countries and dominions, and the people thereof, shall be in the Lord Protector, assisted with a Council, the number whereof shall not exceed 21, nor be less than 13.

III. That all writs, process, commissions, patents, grants, and other things, which now run in the name and style of 'The Keepers of the Liberty of England by Authority of Parliament,' shall run in the name and style of 'The Lord Protector,' from whom, for the future, shall be derived all magistracy and honours in these three nations; and have the power of Pardons (except in case of murders and treason) and benefit of all forfeitures for the public use; and shall govern the said countries and dominions in all things by the advice of the Council, and according to these presents and the laws.

IV. That the Lord Protector, the parliament sitting, shall dispose and order the Militia and Forces, both by sea and land, for the peace and good of the three nations, by consent of parliament; and that the Lord Protector, with the advice and consent of the major part of the Council, shall dispose and order the Militia for the ends aforesaid in the intervals of parliament.

V. That the Lord Protector, by the advice aforesaid, shall direct in all things concerning the keeping and holding of a good correspondency with foreign kings, princes, and states; and also, with the consent of the major part of the Council, have the power of war and peace.

VI. That the Laws shall not be altered, suspended, abrogated, or repealed, nor any new law made, nor any tax, charge, or imposition laid upon the people, but by common consent in parliament, save only as is expressed in the 30th Article.

VII. That there shall be a Parliament summoned to meet at Westminster upon the 3rd day of Sept. 1654, and that successively a parliament shall be summoned once in every 3d year, to be accounted from the Dissolution of the present Parliament.

VIII. That neither the Parliament to be next summoned, nor any successive parliaments, shall during the time of 5 months, to be accounted from the day of their first meeting, be adjourned, prorogued, or dissolved, without their own consent.

IX. That as well the next as all other successive Parliaments, shall be summoned and elected in manner hereafter expressed; that is to say, the persons to be chosen within England, Wales, the Isles of Jersey, Guernsey, and the town of Berwick upon Tweed, to sit and serve in parliament, shall be, and not exceed 400. The persons to be chosen within Scotland, to sit and serve in parliament, shall be and not exceed, 30: and the persons to be chosen to sit in parliament for Ireland, shall be, and not exceed, 30.

X. That the persons be elected, to sit in parliament from time to time, for the several counties of England, Wales, the Isles of Jersey and Guernsey, and the town of Berwick upon Tweed, and all places within the same respectively, shall be according to the proportions and numbers hereafter expressed: that is to say,

Bedfordshire	5	Weymouth and Melcomb-Regis	1
Bedford Town	1		
Berkshire	5	Lyme-Regis	1
Abingdon	1	Pool	1
Reading	1	*Durham*	2
Buckinghamshire	5	City of Durham	1
Buckingham Town	1	*Essex*	13
Aylesbury	1	Malden	1
Wycomb	1	Colchester	2
Cambridgeshire	4	*Gloucestershire*	5
Cambridge Town	1	Gloucester	2
Cambridge Univ.	1	Tewksbury	1
Isle of Ely	2	Cirencester	1
Cheshire	4	*Herefordshire*	4
Chester	1	Hereford	1
Cornwall	8	Leominster	1
Launceston	1	*Hertfordshire*	5
Truroe	1	St. Alban's	1
Penryn	1	Hertford	1
Eastlow & Westlow	1	*Huntingdonshire*	3
Cumberland	2	Huntingdon	1
Carlisle	1	*Kent*	11
Derbyshire	4	Canterbury	2
Derby Town	1	Rochester	1
Devonshire	11	Maidstone	1
Exeter	2	Dover	1
Plymouth	2	Sandwich	1
Clifton, Dartmouth Hardness	1	Queenborough	1
Totness	1	*Lancashire*	4
Barnstable	1	Preston	1
Tiverton	1	Lancaster	1
Honiton	1	Liverpool	1
Dorsetshire	6	Manchester	1
Dorchester	1	*Leicestershire*	4
		Leicester	2

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Lincolnshire	10	Bury St. Edmond's	2
Lincoln	2	Dunwich	1
Boston	1	Sudbury	1
Grantham	1	*Surrey*	6
Stamford	1	Southwark	2
Great Grimsby	1	Guildford	1
Middlesex	4	Rycgate	1
London	6	*Sussex*	9
Westminster	2	Chichester	1
Monmouthshire	3	Lewes	1
Norfolk	10	East-Grinstead	1
Norwich	2	Arundel	1
Lynn-Regis	2	Rye	1
Great-Yarmouth	2	*Westmoreland*	2
Northamptonshire	6	*Warwickshire*	4
Peterborough	1	Coventry	2
Northampton	1	Warwick	1
Nottinghamshire	4	*Wiltshire*	10
Nottingham	2	New Sarum	2
Northumberland	3	Marlborough	1
NewcasteleuponTyne	1	Devizes	1
Berwick	1	*Worcestershire*	5
Oxfordshire	5	Worcester	2
Oxford City	1	*Yorkshire*	
Oxford University	1	West-Riding	6
Woodstock	1	East-Riding	4
Rutlandshire	2	North-Riding	4
Shropshire	4	City of York	2
Shrewsbury	2	Kingston upon Hull	1
Bridgnorth	1	Beverley	1
Ludlow	1	Scarborough	1
Staffordshire	3	Richmond	1
Litchfield	1	Leeds	1
Stafford	1	Halifax	1
Newcastle under Line	1	WALES	
Somersetshire	11	*Anglesey*	2
Bristol	2	*Brecknockshire*	2
Taunton	2	*Cardiganshire*	3
Bath	1	*Carmarthenshire*	2
Wells	1	*Carnarvonshire*	2
Bridgwater	1	*Denbighshire*	2
Southamptonshire	8	*Flintshire*	2
Winchester	1	*Glamorganshire*	2
Southampton	1	Cardiffe	1
Portsmouth	1	*Merionethshire*	1
Isle of Wight	2	*Montgomeryshire*	2
Andover	1	*Pembrokeshire*	2
Suffolk	10	Haverford-West	1
Ipswich	2	*Radnorshire*	2

The distribution of the Persons to be chosen for Scotland and Ireland, and the several counties, cities, and places therein, shall be according to such proportions and number as shall be agreed upon and declared by the Lord Protector and the major part of the Council, before the sending forth Writs of Summons for the next parliament.

XI. That the Summons to Parliament shall be by writ under the great seal of England, directed to the sheriffs of the several and respective counties, with such alteration as may suit with the present government, to be made by the Lord Protector and his Council, which the chancellor, keeper, or commissioners of the great seal, shall seal, issue, and send abroad by warrant from the Lord Protector. If the Lord Protector shall not give warrant for issuing of Writs of Summons for the next parliament, before the 1st of June, 1654, or for the Triennial Parliaments, before the 1st of August in every 3rd year, to be accounted as aforesaid; that then the chancellor, keeper, or commissioners of the great seal for the time being, shall, without any warrant or direction, within 7 days after the said 1st of June, 1654, seal, issue, and send abroad Writs of Summons (changing therein what is to be changed as aforesaid) to the several and respective Sheriffs of England, Scotland, and Ireland, for summoning the Parliament to meet at Westminster, the 3rd of Sept. next; and shall likewise, within 7 days after the said 1st of Aug. in every third year, to be accounted from the Dissolution of the precedent Parliament, seal, issue, and send abroad several Writs of Summons, (changing thereerein what is to be changed as aforesaid) for summoning the parliament to meet at Westminster the 6th of Nov. in that 3rd year. That the said several and respective sheriffs shall, within ten days after the receipt of such writ as aforesaid, cause the same to be proclaimed and published in every market-town within his county, upon the market days thereof, between 12 and 3 of the clock; and shall then also publish and declare the certain day of the week and month, for chusing members to serve in parliament for the body of the said county, according to the tenor of the said writ, which shall be upon Wednesday 5 weeks after the date of the writ; and shall likewise declare the place where the election shall be made: for which purpose he shall appoint the most convenient place for the whole county to meet in; and shall send precepts for elections to be made in all and every city, town, borough, or place within his county, where elections are to be made by virtue of these presents, to the mayor, sheriff, or other head-officer of such city, town, borough, or place, within 3 days after the receipt of such writ and writs; which the said mayors, sheriffs, and officers respectively are to make publication of, and of the certain day for such elections to be made in the said city, town, or place aforesaid, and to cause elections to be made accordingly.

XII. That at the day and place of elections, the sheriff of each county, and the said mayors, sheriffs, bailiffs, and other head-officers within their cities, towns, boroughs, and places respectively, shall take view of the said elections, and shall make return into the chancery within 20 days after the said elections, of the persons elected by the greater number of electors, under their hands and seals, between him on the one part, and the electors on the other part; wherein shall be contained, That the persons elected shall not have power to alter the government as it is hereby settled in one single person and a parliament.

XIII. That the Sheriff, who shall wittingly and willingly make any false return, or neglect his duty, shall incur the penalty of 2000 marks of lawful English money; the one moiety to the

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Lord Protector, and the other to such person as will sue for the same.

XIV. That all and every person and persons, who have aided, advised, assisted, or abetted in any war against the parliament, since the 1st of Jan. 1641, (unless they have been since in the service of the parliament, and given signal testimony of their good affection thereunto) shall be disabled and uncapable to be elected, or to give any vote in the election of any members to serve in the next parliament, or in the three succeeding Triennial Parliaments.

XV. That all such, who have advised, assisted, or abetted the Rebellion of Ireland, shall be disabled and uncapable for ever to be elected, or give any vote in the election of any member to serve in parliament; as also all such who do or shall profess the Roman Catholic Religion.

XVI. That all Votes and Elections given or made contrary, or not according to, these Qualifications, shall be null and void: and if any person, who is hereby made uncapable, shall give his vote for election of members to serve in parliament, such person shall lose and forfeit one full year's value of his real estate, and one full third part of his personal estate; one moiety thereof to the Lord Protector, and the other to him or them who shall sue for the same.

XVII. That the persons who shall be elected to serve in parliament, shall be such (and no other than such) as are persons of known integrity, fearing God, and of good conversation, and being of the age of 21 years.

XVIII. That all and every person and persons seized or possessed to his own use, of any estate real or personal, to the value of 200*l.* and not within the aforesaid exceptions, shall be capable to elect members to serve in parliament for counties.

XIX. That the chancellor, keeper, or commissioners of the great seal, shall be sworn before they enter into their offices, truly and faithfully to issue forth, and send abroad, Writs of Summons to parliament, at the times and in the manner before expressed: and in case of neglect or failure to issue and send abroad writs accordingly, he or they shall for every such offence be guilty of high-treason, and suffer the pains and penalties thereof.

XX. That in case writs be not issued out, as is before expressed, but that there be a neglect therein, 15 days after the time wherein the same ought to be issued out by the chancellor, keeper, or commissioners of the great seal; that then the parliament shall, as often as such failure shall happen, assemble and be held at Westminster, in the usual place, at the times prefixed, in manner and by the means hereafter expressed; that is to say, That the sheriffs of the several and respective counties, sheriffdoms, cities, boroughs, and places aforesaid, within England, Wales, Scotland, and Ireland, the chancellor, masters, and scholars of the Universities of Oxford and Cambridge, and the mayor and bailiffs of the borough of Berwick upon Tweed, and other the places aforesaid respectively, shall at the several courts and places to be appointed as aforesaid, within 30 days after the said 15 days, cause such members to be chosen for their said several and respective counties, sheriffdoms, universities, cities, boroughs, and places aforesaid, by such persons, and in such manner, as if several and respective writs of Summons to parliament under the great seal had issued and been awarded according to the tenor abovesaid: That if the sheriff, or other persons authorized, shall neglect his or their duty herein, that all and every such sheriff and person authorized as aforesaid, so neglecting his or their duty, shall, for every such offence, be guilty of high treason, and shall suffer the pains and penalties thereof.

XXI. That the Clerk, called the Clerk of the Commonwealth in Chancery for the time being, and all others, who shall afterwards execute that office, to whom the returns shall be made, shall for the next parliament, and the two succeeding Triennial Parliaments, the next day after such return, certify the names of the several persons so returned, and of the places for which he and they were chosen respectively, unto the Council; who shall peruse the said returns, and examine whether the persons so elected and returned be such as is agreeable to the qualifications, and not disabled to be elected: and that every person and persons being so duly elected, and being approved of by the major part of the council to be persons not disabled, but qualified as aforesaid, shall be esteemed a member of parliament, and be admitted to sit in parliament, and not otherwise.

XXII. That the persons so chosen and assembled in manner aforesaid, or any 60 of them, shall be, and be deemed the Parliament of England, Scotland, and Ireland; and the Supreme Legislative Power to be and reside in the Lord Protector and such Parliament, in manner herein expressed.

XXIII. That the Lord Protector, with the advice of the major part of the Council, shall at any other time than is before expressed, when the necessities of the state shall require it, summon parliaments in manner before expressed, which shall not be adjourned, prorogued, or dissolved without their own consent, during the first 3 months of their sitting. And in case of future war with any foreign state, a parliament shall be forthwith summoned for their advice concerning the same.

XXIV. That all Bills agreed unto by the parliament, shall be presented to the Lord Protector for his consent; and in case he shall not give his consent thereto, within 20 days after they shall be presented to him, or give satisfaction to the parliament within the time limited; that then, upon Declaration of the parliament that the Lord Protector hath not consented nor given satisfaction, such Bills shall pass into, and become, laws, although he shall not give his consent thereunto; provided

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such Bills contain nothing in them contrary to the matters contained in these presents.

XXV. That Henry Lawrence, esq. &c. [whose Names are before-mentioned at p. 1116] or any 7 of them, shall be a Council for the purposes expressed in this writing; and upon the death or other removal of any of them, the parliament shall nominate 6 persons of ability, integrity, and fearing God, for every one that is dead or removed: out of which the major part of the council shall elect two, and present them to the Lord Protector, of which he shall elect one: and in case the parliament shall not nominate within 20 days after notice given unto them thereof, the major part of the Council shall nominate 3 as aforesaid to the Lord Protector, who out of them shall supply the vacancy: and until this choice be made, the remaining part of the Council shall execute as fully in all things, as if their number were full. And in case of corruption, or other miscarriage in any of the Council in their trust, the parliament shall appoint 7 of their number, and the council 6, who, together with the lord chancellor, lord keeper, or commissioners of the great seal for the time being, shall have power to hear and determine such corruption and miscarriage, and to award and inflict punishment, as the nature of the offence shall deserve; which punishment shall not be pardoned or remitted by the Lord Protector: and, in the interval of parliaments, the major part of the Council, with the consent of the Lord Protector, may, for corruption, or other miscarriage as aforesaid, suspend any of their number from the exercise of their trust, if they shall find it just, until the matter shall be heard and examined as aforesaid.

XXVI. That the Lord Protector and the major part of the Council aforesaid may, at any time before the meeting of the next parliament, add to the Council such persons as they shall think fit; provided the number of the Council be not made thereby to exceed 21, and the Quorum to be proportioned accordingly by the Lord Protector and the major part of the Council.

XXVII. That a constant yearly Revenue shall be raised, settled, and established for maintaining of 10,000 horse and dragoons, and 20,000 foot, in England, Scotland, and Ireland, for the defence and security thereof, and also for a convenient number of Ships for guarding of the seas; besides 200,000*l.* per ann. for defraying the other necessary Charges of Administration of Justice, and other expences of the Government; which revenue shall be raised by the Customs, and such other Ways and Means as shall be agreed upon by the Lord Protector and the Council, and shall not be taken away or diminished, nor the way agreed upon for raising the same altered, but by the consent of the Lord Protector and the Parliament.

XXVIII. That the said yearly Revenue shall be paid into the public Treasury, and shall be issued out for the uses aforesaid.

XXIX. That in case there shall not be cause hereafter to keep up so great a Defence both at Land or Sea, but that there be an abatement made thereof, the money which will be saved thereby, shall remain in Bank for the public service, and not be employed to any other use but by consent of parliament; or, in the intervals of parliament, by the Lord Protector and major part of the Council.

XXX. That the raising of Money for defraying the Charge of the present extraordinary Forces, both at Sea and Land, in respect of the present wars, shall be by consent of parliament, and not otherwise: save only that the Lord Protector, with the consent of the major part of the Council, for preventing the disorders and dangers which might otherwise fall out both by sea and land, shall have power, until the meeting of the first parliament, to raise money for the purposes aforesaid; and also to make Laws and Ordinances for the peace and welfare of these nations, where it shall be necessary; which shall be binding and in force, until order shall be taken in parliament concerning the same.

XXXI. That the lands, tenements, rents, royalties, jurisdictions and hereditaments which remain yet unsold, or undisposed of, by Act or Ordinance of Parliament, belonging to the Commonwealth, (except the Forests and Chases, and the Honours and Manors belonging to the same; the lands of the Rebels in Ireland, lying in the 4 counties of Dublin, Cork, Kildare, and Catherlaugh; the lands forfeited by the people of Scotland in the late wars; and also the lands of Papists and Delinquents in England who have not yet compounded) shall be vested in the Lord Protector, to hold, to him and his successors lords protectors of these nations; and shall not be alienated but by consent in parliament. And all debts, fines, issues, amerciaments, penalties and profits, certain and casual, due to the keepers of the liberties of England by authority of parliament, shall be due to the Lord Protector, and be payable into his public Receipt, and shall be recovered and prosecuted in his name.

XXXII. That the office of Lord Protector over these nations shall be elective and not hereditary; and upon the death of the Lord Protector, another fit person shall be forthwith elected to succeed him in the Government; which election shall be by the Council, who, immediately upon the death of the Lord Protector, shall assemble in the Chamber where they usually sit in Council; and, having given notice to all their members of the cause of their assembling, shall, being 13 at least present, procced to the election; and, before they depart the said Chamber, shall elect a fit person to succeed in the Government, and forthwith cause Proclamation thereof to be made in all the three nations as shall be requisite: and the person that they, or the major part of them, shall elect as aforesaid, shall be, and shall be taken to be, Lord Protector over these nations

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of England, Scotland, and Ireland, and the dominions thereto belonging. Provided that none of the children of the late king, nor any of his line or family, be elected to be Lord Protector or other chief magistrate over these nations, or any the dominions thereto belonging. And until the aforesaid election be past, the Council shall take care of the Government, and administer in all things as fully as the Lord Protector, or the Lord Protector and Council are enabled to do.

XXXIII. That Oliver Cromwell, captain-general of the Forces of England, Scotland, and Ireland, shall be, and is hereby declared to be, Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the dominions thereto belonging, for his life.

XXXIV. That the chancellor, keeper, or commissioners of the Great Seal, the treasurer, admiral, chief governors of Ireland and Scotland, and the chief justices of both the Benches, shall be chosen by the approbation of parliament; and, in the intervals of parliament, by the approbation of the major part of the Council, to be afterwards approved by the parliament.

XXXV. That the Christian Religion, as contained in the Scriptures, be held forth and recommended as the public Profession of these nations; and that, as soon as may be, a provision, less subject to scruple and contention, and more certain than the present, be made for the encouragement and maintenance of able and painful Teachers, for instructing the people, and for Discovery and Confutation of Error, Heresy, and whatever is contrary to sound Doctrine: and that until such Provision be made, the present Maintenance shall not be taken away nor impeached.

XXXVI. That to the public Profession held forth none shall be compelled by penalties or otherwise; but that endeavours be used to win them by sound doctrine, and the example of a good conversation.

XXXVII. That such as profess Faith in God by Jesus Christ, (though differing in judgment from the doctrine, worship, or discipline publicly held forth) shall not be restrained from, but shall be protected in, the profession of the faith, and exercise of their Religion; so as they abuse not this liberty to the civil injury of others, and to the actual disturbance of the public peace on their parts: provided this liberty be not extended to Popery nor Prelacy, nor to such as, under the professsion of Christ, hold forth and practice licentiousness.

XXXVIII. That all laws, statutes, and ordinances, and clauses in any law, statute, or ordinance to the contrary of the aforesaid Liberty, shall be esteemed as null and void.

XXXIX. That the Acts and Ordinances of Parliament, made for the sale or other disposition of the lands, rents, and hereditaments of the late king, queen, and prince, of archbishops and bishops, &c. deans and chapters, the lands of Delinquents, and forest lands, or any of them, or of any other lands, tenements, rents, and hereditaments belonging to the Commonwealth, shall nowise be impeached or made invalid, but shall remain good and firm; and that the securities given by Act and Ordinance of Parliament for any sum or sums of money, by any of the said lands, the excise, or by any other public revenue; and also the securities given by the public faith of the nation, and the engagement of the public faith for satisfaction of debts and damages, shall remain firm and good, and not be made void and ivalid upon any pretence whatsoever.

XL. That the Articles given to, or made with, the enemy, and afterwards confirmed by parliament, shall be performed and made good to the persons concerned therein: and that such Appeals as were depending in the last parliament, for relief concerning Bills of Sale of Delinquents Estates, may be heard and determined the next parliament, any thing in this writing, or otherwise, to the contrary notwithstanding.

XLI. That every successive Lord Protector over these nations shall take and subscribe a solemn Oath, in the presence of the Council, and such others as they shall call to them, that he will seek the peace, quiet, and welfare of these nations, cause law and justice to be equally administered; and that he will not violate or infringe the matters and things contained in this writing; and, in all other things, will, to his power, and to the best of his understanding, govern these nations according to the laws, statutes, and customs thereof.

XLII. That each person of the Council shall, before they enter upon their trust, take and subscribe an Oath, that they will be true and faithful in their trust, according to the best of their knowledge; and that in the election of every successive Lord Protector, they shall proceed therein impartially, and do nothing therein for any promise, fear, favour or reward."

After reading the foregoing Instrument of Government, the lord commissioner Lisle presented the Form of an Oath, engrossed on parchment, to be taken by the Lord Protector: during the reading of which his Excellency held up his right hand, and lifted up his eyes to Heaven with great solemnity and devotion, and then subscribed the same in the face of the Court; which Oath was as follows:

"Whereas the major part of the last parliament (judging that their sitting any longer, as then constituted, would not be for the good of this Commonwealth) did dissolve the same; and by a Writting under their hands, dated the 12th Dec. resigned unto me their powers and authorities; and whereas it was necessary thereupon, that some speedy course should be taken for the settlement of these nations upon such a basis and foundation as, by the blessing of God, might be lasting, secure property, and answer those great ends of Religion and Liberty so long contended for: and, upon full and mature consideration had of the Form of Govern-

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ment hereunto annexed, being satisfied that the same, through the divine assistance, may answer the ends aforementioned; and having also been desired, and advised, as well by several persons of interest and fidelity in this Commonwealth, as the Officers of the Army, to take upon me the Protection and Government of these nations in the manner expressed on the said Form of Government, I have accepted thereof, and do hereby declare my acceptance accordingly; and I do promise, in the presence of God, that I will not violate or infringe the matters and things contained therein; but, to my power, observe the same, and cause them to be observed, and shall, in all other things, to the best of my understanding, govern these nations according to the laws, statutes, and customs thereof; seeking their peace, and causing justice and law to be equallyadministered. O. CROMWELL."

To this Oath was subjoined the following Memorandum: "Oliver Cromwell, Captain-General of all the Forces of this Commonwealth, and now declared Lord Protector thereof, did, this 16th Dec. 1653, sign this Writing, and solemnly promise, as is therein contained, in presence of the lords commissioners of the great seal of England, who administered the same Oath, and of the lord mayor and aldermen of the city of London, divers of the judges of the land, the officers of state and Army, and many other persons of quality."

After the Lord Protector had taken the foregoing Oath, major gen. Lambert, kneeling, presented him with a Sword in the scabbard, representing the Civil Sword, which his Excellency accepting put off his own; thereby to intimate that he would no longer rule by the military one. Then the lords commissioners of the great seal, the judges and officers of the army, invited him to take possession of the Chair of State, as Lord Protector of England, Scotland, and Ireland, which he did; and sat down with his head covered, having a gold hatband about his hat, the court continuing all bare. Then the lords commissioners delivered up to him the Purse and Seals, and the lord mayor of London his sword, which were presently delivered to them back again by his highness, with an exhortation to use them well; and then, after a salute, the court rose, and the procession returned in the following manner: First came the aldermen and the members of the council, from the court of chancery to Westminster-Hall gate; next after them the judges; then came the commissioners of the great seal, one of them bearing the purse and seals: these were followed by the life-guard, and 4 serjeants at arms carrying the maces belonging to the city of London, the court of chancery, the council and the parliament. The lord mayor went next before his highness with the sword, and the officers of the army about his person, to the Hall-Gate, where they took coach, and returned to Whitehall; the lord mayor riding bare-headed, and carrying the sword in the boot of the coach with the Lord Protector, amidst the great acclamations and shoutings of the people all along the streets as they passed. His highness with his attendants being returned to the Banquetting-House at Whitehall, they had an exhortation made to them there by Mr. Lockier, chaplain to his highness; which being ended, the company were dismissed with three vollies of shot by the soldiery, between 4 and 5 at night.

On the 19th, the Protector was proclaimed by sound of trumpet, in the Palace-Yard Westminster, at the Old Exchange, and several other places in London. The same was done afterwards through every city and county in England.

Cromwell issues out Writs, for calling a Parliament.] It was not till the month of June, 1654, that it was thought proper to call a Parliament upon the new Model prescribed by the Instrument of Government. The Writs for that purpose were issued out by the Lord Protector on the 1st of this month; an Ordinance was soon after published for the distribution of elections for Scotland and Ireland; each nation being to send 30 members, who were to sit and vote in this English Convention.

List of the Members who constituted Cromwell's Second Parliament.] July 27. This day Lists were returned to the Protector and his Council, with the Names of those who were elected to serve as Members, in the next Convention, for the several shires, cities, and boroughs, in England and Wales, Scotland and Ireland, as follows:

Bedfordshire.
Sir Wm. Botcler,
John Harvey,
Edm. Wingate,
John Neal,
Samuel Bedford.

Bedford Town.
Bulstrode Whitlocke.

Berkshire.
George Purefoy,
Edm. Dunch,
Sir Robert Pye,
John Dunch,
John Southby.

Abingdon.
Thomas Holt.

Reading.
Robert Hammond.

Buckinghamshire.
Bulstrode Whitlocke,
Sir Robert Pigot,
Richard Ingoldsby,
Richard Grenville,
George Fleetwood.

Buckingham Town.
Francis Ingoldsby.

Aylesbury.
Henry Phillips.

Chipping-Wycombe.
Thomas Scott.

Cambridgeshire.
John Desborough,
Francis Russel,
Henry Pickering,
Robert Castel.

Cambridge Town.
Richard Timbs.

Cambridge University.
Lord Hen. Cromwell.

Isle of Ely.
John Thurloe,
George Glapthorn.

Cheshire.
John Bradshaw,
Sir George Booth,
Henry Brooke,
John Crew.

Chester City.
Charles Whalley.

Cornwall.
Thomas Gewen,
Anthony Nichol,
Thomas Ceely,
Richard Carter,
Anthony Rouse,
James Launce,
Walter Moyle,
Charles Boscawen.

Launceston.
Robert Bennet.

Truro.
Francis Rouse.

Penryn.
John Fox.

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Eastlow & Westlow.
Maj. John Blackmore.
Cumberland.
Charles Howard,
Wm. Briscoe,
Carlisle City.
Col. Thomas Fitch.
Derbyshire.
Nath. Barton,
Thomas Sanders,
Edward Gill,
John Gell.
Derby Town.
Gervase Bennet.
Devonshire.
Robert Rolle,
Arthur Upton,
Thomas Reynell,
Wm. Morris,
John Hale,
Wm. Bastard,
Wm. Fry,
Thomas Sanders,
Sir John Northcot,
Henry Hatsel,
John Quick.
Exeter City.
Thomas Bampfield,
Thomas Gibbons.
Plymouth.
Christopher Ceely,
Wm. Yeo.
Clifton, Dartmouth, Hardness.
Thomas Boon.
Totness.
John Desborough.
Barnstable.
John Dodderidge.
Rob. Shapcot.
Honiton.
Sir John Young.
Dorsetshire.
Wm. Sydenham,
John Bingham,
Sir Walter Earle,
John Fitz-James,
John Trenchard,
Henry Henley.
Dorchester.
John Whiteway.
Weymouth and Melcomb-Regis.
Dennis Bond.
Lyme-Regis.
Edmund Prideaux.
Poole.
Sir A. Ashley Cooper.
Durham.
Col. Rob. Lilburne,
George Lilburne.
Durham-City.
Anthony Smith.
Essex.
Sir Wm. Masham,
Sir Rich. Everard,
Sir Tho. Honeywood,
Sir Thomas Bowes,
Henry Mildmay,
Thomas Coke,
Col. Carew Mildmay,
Sir Samuel Sleigh,
D. Wakering,
Edward Turner,
Richard Cutts,
Oliver Raymond,
Herbert Pelham.
Malden.
Col. Joach. Matthews.
Colchester.
Col. John Barkstead
John Maidstone.
Gloucestershire.
George Berkeley,
Matthew Hale,
John How,
Christopher Guise,
Sylvanus Wood.
Gloucester City.
Wm. Lenthall,
Thomas Pury, sen.
Tewksbury.
Sir A. Ashley Cooper.
Cirencester.
John Stone.
Herefordshire.
John Scudamore,
John Pateshal,
John Flacket,
Richard Read.
Hereford City.
Bennet Hoskins,
John Birch.
Hertfordshire.
Henry Laurence,
Wm. earl of Salisbury,
Sir John Wittewrong,
Sir Richard Lucy,
Thomas Nicholl.
St. Albans.
Alban Cox.
Hertford.
Isaac Pulter.
Huntingdonshire.
Edward Montague,
Hen. Cromwell, jun.
Stephen Phesant.
Huntingdon Town.
John Bernard.
Kent.
William James,
Col. John Dixwell,
John Boys,
Sir Hen. Vane, sen.
Col Ralph Weldon.
Lambert Godfrey,
Col. Rd. Beal,
Lt. Col. H. Oxenden,
Augustine Skinner,
Daniel Shatterden,
John Seyliard, jun.
Canterbury City.
Thomas Scott,
Francis Butcher.
Rochester City.
John Parker, esq.
Maidstone.
John Banks, jun.
Augustine Garland.
Lancashire.
Richard Holland,
Gilbert Ireland,
Rich. Standish,
William Ashurst.
Preston.
Rich. Shuttleworth.
Lancaster.
Henry Porter.
Liverpool.
Thomas Birch, sen.
Manchester.
Charles Worsley.
Leicestershire.
Thomas Beaumont,
Hen Earl of Stamford,
Tho. lord Grey,
Thomas Pochin.
Leicester Town.
Sir A. Haslerig,
Wm. Stanley.
Lincolnshire.
Edward Rossiter,
Thomas Hall,
Thomas Lister,
Charles Hall,
Francis Clinton, alias Fiennes,
Thomas Hatcher,
William Woolley,
William Saville,
William Welby,
John Wray.
Lincoln City.
William Marshall,
Origen Peart.
Boston.
William Ellis.
Grantham.
Wm. Bury, sen.
Stamford.
John Weaver.
Great-Grimsby.
William Wray.
Middlesex.
Sir Wm. Roberts,
Josiah Berners,
Sir J. Harrington,
Edm. Harvey.
Westminster City.
Thomas Latham,
Tho. Faucoubridge.
London City.
Thomas Foot,
William Steel,
Thomas Adams,
John Langham,
Samuel Avery,
Andrew Riccard.
Monmouthshire.
Rd. lord Cromwell.
Col. Philip Jones,
Henry Herbert,
Norfolk.
Sir John Hobart,
Sir William Doyley,
Sir Ralph Hare,
Thomas Weld,
Robert Wilton,
Thomas Sotherton,
Philip Woodhouse,
Robert Wood, sen.
P. Bedingfield, sen.
Tobias Frere.
Norwich City.
Bernard Church,
John Hobart.
Lyan-Regis.
Philip Skippon,
Guybon Goddard.
Great-Yarmouth.
Col. William Goffe,
Thomas Dunn.
Northamptonshire.
Sir Gilbert Pickering,
John Crew, sen.
Sir John Norwich,
John Cleypole, sen.
Sir John Dryden,
Thomas Brook.
Peterborough City.
Alexander Blake.
Northampton Town.
Peter Whalley.
Northumberland.
William Fenwick,
Robert Fenwick,
Henry Ogle.
Newcastle upon Tyne.
Sir Arth. Haselrigge.
Berwick upon Tweed.
Geo. Fenwick.
Nottinghamshire.
William Pierepoint,
Edward Whalley,
Edward Nevill,
Charles White.
Nottingham Town.
James Chadwick,
John Mason.
Oxfordshire.
Robert Jenkinson,
Charles Fleetwood,
Col. James Whitlocke.
Nathaniel Fiennes,
William Lenthall.
Oxford City.
Bulstrode Whitlocke.
Oxford University.
John Owen, D. D.
Woodstock.
Lt. Gen. C. Fleetwood.
Rutlandshire.
William Shield,
Edward Horseman.
Shropshire.
Hum. Mackworth, sen.
Thomas Mitton,
Robert Corbet,

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Philip Young.
Shrewsbury.
Richard Cheshire, -
Humph. Mackworth,
Bruges, alias Bridgenorth.
William Crown.
Ludlow.
John Aston.
Somersetshire.
Sir John Horner,
John Buckland,
Gen. J. Desborough.
John Preston,
John Harrington,
John Ash,
Charles Steynings,
Robert Long,
Richard Jones,
Thomas Hippesley,
Samuel Perry.
Bristol City.
Robert Aldworth,
Miles Jackson.
Bath City.
Col. Alex. Popham.
Wells City.
Lislebone Long.
Taunton.
Thomas Gorges,
John Gorges.
Bridgwater.
Col. Rob. Blake.
Southamptonshire.
Rd. lord Cromwell,
Richard Norton,
Richard Major,
John St. Barbe,
Robert Wallop,
Francis Rivet,
Edward Hooper,
John Bulkley.
Winchester City.
John Hildesley.
Southampton Town.
John Lisle.
Portsmouth Town.
Nath. Whetham.
Andover.
John Dowse.
Isle of Wight.
Col. Wm. Sydenham,
John Lisle.
Staffordshire.
Sir Ch. Wolseley,
Tho. Crompton,
Tho. Whitgrave.
Litchfield City.
Thomas Minors.
Stafford.
John Bradshaw,
Newcastle under Line.
Edward Keeling.
Suffolk.
Sir Tho. Barnardiston,
Sir Wm. Spring,
Sir T. Beddingfield,
William Bloys,
John Gurdon,
William Gibbs,
John Brandling,
Alexander Bence,
John Sicklemore,
Thomas Bacon.
Ipswich.
Nath. Bacon,
Francis Bacon.
St. Edmundsbury.
Samuel Moody,
John Clark.
Dunwich.
Rob. Brewster.
Sudbury.
John Fothergill.
Surrey.
Sir Richard Onslow,
Maj. Gen. Lambert,
Arthur Onslow,
Francis Drake,
Robert Holman,
Col. Robert Wood.
Southwark.
Samuel Highland,
Robert Warcup.
Guilford.
Rd. Hiller, of Guilford.
Ryegate.
Edward Bishe.
Sussex.
Herbert Morley,
John Stapeley,
John Fagg,
William Hay,
John Pelham,
Anthony Stapeley,
Sir Tho. Pelham,
Francis lord Dacres,
Herbert Sprungat.
Chichester City.
Henry Peckham.
Lewes.
Henry Shelley.
East-Grinsted.
John Goodwin.
Arundell.
Anthony Shirley.
Warwickshire.
Richard Lucy,
Thomas Willoughby
Sir Rd. Temple,
Wm. Purefoy.
Coventry City.
William Purefoy,
Robert Beak.
Warwick Town.
Richard Lucy.
Westmorland.
Christopher Lister,
Jeremy Baynes.
Wiltshire.
Sir A. Ashley Cooper,
Alex. Popham,
Tho. Grove,
Alex. Thistlethwait,
Francis Hollis,
John Ernly,
William Yorke,
John Nortlen,
James Ash,
Gabriel Martin.
New Sarum City.
Edward Tooker,
William Stevens.
Marlborough.
Lt. Gen. C. Fleetwood.
Devises.
Edward Baynton.
Worcestershire.
Sir Tho. Rouse,
Edward Pitt,
Nich. Lechmere,
John Bridges,
Talbot Badger.
Worcester City.
William Collins,
Edward Elvines.
Yorkshire.
West-Riding.
Thomas lord Fairfax,
John Lambert,
Henry Tempest,
John Bright,
Edward Gell,
Martin Lister.
East-Riding.
Sir Wm. Strickland,
Walter Strickland,
Hugh Bethell,
Richard Robinson.
North-Riding.
George lord Eure,
Francis Lascelles,
Thomas Harrison,
George Smithson.
York City.
Sir Tho. Widdrington,
Tho. Dickenson,
Kingston upon Hull.
William Lister.
Beverley.
Francis Thorp.
Scarbrough.
John Wildman.
Richmond.
John Wastal.
Leeds.
Adam Baynes.
Halifax.
Jeremy Bentley.
CINQUE PORTS.
Dover.
William Cullen.
Sandwich.
Lieut. col. T. Kelsey.
Rye.
Herbert Morley.
WALES.
Anglesey.
George Twistleton,
William Foxwist.
Brecknockshire.
Henry lord Herbert,
Edmund Jones.
Cardiganshire.
James Phillips,
Jenkin Lloyd.
Carmarthenshire.
John Cleypole,
Rowland Dawkins.
Carnarvonshire.
John Glynn,
Thomas Mostyn.
Denbighshire.
Col. Simon Theloall,
Col. John Carter.
Flintshire.
John Trevor,
Andrew Ellis.
Glamorganshire.
Philip Jones,
Edm. Thomas.
Cardiffe Town.
John Price.
Merionethshire.
John Vaughan.
Montgomeryshire.
Sir John Price,
Charles Lloyd.
Pembrokeshire.
Sir Erasmus Phillips.
Picton Castle.
Arthur Owen.
Haverford-West.
John Upton.
Radnorshire.
George Gwyn,
Henry Williams.
SCOTLAND.—*Shires.*
Inverness.
Lieut. col. W. Mitchell.
Forfar and Kinkardine.
Col. David Barclay.
Fife and Kinross.
Col. James Hay.
Perth.
G. earl of Linlithgow.
Linlithgow, Stirling and Clackmannan.
Col. Tho. Read.
Dunbarton, Argyle, and Bute.
Sir James Hamilton, of Ormiston.
Lanerk.
Col. Wm. Lockhart.
Mid-Lothian.
George Smith.
Merce.
John Swinton.
Selkirk and Peebles.
John Thompson.
Dumfries.
Col. J. Earl.
Wigtown.
Sir J. Mac Dowel.
East Lothian.
Benj. Bressey.

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Cities and Boroughs.
Edinburgh.
Sam. Desborough,
G. Downing.
Forfar, Dundee, Aberbrothock, Montrose, and Brechin.
Sir Alex. Wedderburn, of Blackness.
Linlithgow, Queen's Ferry, Perth, Culross, and Stirling.
Col. John Okey.
St. Andrews, Dysart, Kirkaldy, Coupar, Anstruther-Easter, Pittenweem, Crail, Dunfermline, Kinghorn, Anstruther-Wester, Innerkeithing, Kilrenny, and Burnt-Island.
James Sword.
Lanerk, Glasgow, Rutherglen, Rothsay, Renfrew, Ayre, Irvin, and Dunbarton.
Mr. John Wilkie.
Dumfries, Sanquhar, Lochmaben, Annan, Wigtoun, Kircudbright, Whitehorn, and Galloway.
Major Jer. Tollhurst.
Peebles, Selkirk, Jedburgh, Lauder, North Berwick, Dunbar, and Haddington.
Mr. Wm. Thompson, Burgess of Haddington.

IRELAND.—*Counties.*
Meath and Louth,
Col. John Fowke,
Maj. Wm. Cadogan.
Kildare and Wickloe.
Maj. Anth. Morgan,
Maj. Wm. Meredith.
Dublin
Col. John Hewson.
Catherlough, Wexford, Kilkenny, & Queen's County.
Col. Tho. Sadler,
Col. Dan. Axtell.
Westmeath, Longford, and King's County.
Sir Theoph. Jones,
Col. Tho. Scott.
Downe, Antrim, and Armagh.
Col. Rob. Venables,
Col. Arthur Hill.
Derry, Donnegal, and Tyrone.
Col. John Clarke,
Tho. Newburgh.
Cavan, Fermannagh, and Monoghan.
Col. John Cole.
Kerry, Limerick, and Clare.
Major-gen. sir Hardress Waller,
Col. Hen. Ingoldsby.
Cork.
Roger Boyle.
Tipperary and Waterford.
John Reynolds,
Hierom Sankey.
Sligo, Roscommon, and Le Trim.
Sir Rob. King,
Sir John Temple.
Galway and Mayo.
Sir Ch. Coot,
John Reynolds.
Cities and Towns.
Dublin.
Daniel Hutchinson.
Carrickfergus and Belfast.
Maj. Dan. Redman.
Derry and Colerane.
Ralph King.
Limerick and Kilmallock.
Wm. Purefoy.
Cork and Youghall.
Col. Wm. Jephson.
Bandon & Kingsdale.
Vincent Gookin.
Waterford and Clonmell.
Wm. Halsey.

Meeting of Cromwell's second Parliament.] Sept. 3. This being the day appointed for the parliament to meet, though Sunday, * the major part of the members were present in the afternoon, at the Abbey-Church in Westminster, where Mr. Marshall preached before them upon Hosea, xii. 3, 4. About 4 they repaired to the Parliament-House, where there appeared about 300. After a-while a Message was brought that the Lord Protector was come by water from Whitehall to the Painted-Chamber, and desired their presence: whereupon they immediately went thither to his highness; who standing bare, upon a pedestal erected for that purpose, informed them, that on the morrow morning there being a sermon to be preached at the Abbey-church, where he intended himself to be present, he thought fit to make them acquainted with it; and to let them know he had some things to communicate to them in reference to the great affairs of the Commonwealth, not so fit to be delivered upon that day, which was not to be taken up in ceremonies: he therefore desired they would meet him again the next morning in the same place. This done, the members went back to the house, and adjourned to that time.

Sept. 4. The Lord Protector came in state from Whitehall, to the Abbey-Church in Westminster: some hundreds of gentlemen and officers went before him bare, with the life guards; next before the coach his pages and lackies richly cloathed; on the right of it went Mr. Walter Strickland, one of his council, and captain of his guard, with the master of ceremonies, both on foot; on the other side capt. Howard of the life-guards. In the coach with him was his son Henry and gen. Lambert, who both sat bare. After him came Cleypole, master of the horse, with a led horse richly trapped; next came the commissioners of the great seal, and of the treasury; divers of the council in coaches, and the ordinary guards. Alighting at the Abbey-door, the officers of the Army and the gentlemen went first; next them 4 maces; then the commissioners of the seal, Whitlocke carrying the purse, and gen. Lambert the sword, both bare; the rest followed. His highness was seated over against the pulpit, and the members of parliament on both sides of him.

Cromwell's Speech to them at opening the Session.] After the sermon, preached by Mr. Goodwyn, his highness returned in the same equipage, to the Painted Chamber; where being seated in a chair of state, advanced up several steps, and the members upon benches round about, all bare, he put off his hat, and made the following Speech to them:*

"Gentlemen; You are met here on the greatest occasion that, I believe, England ever saw, having upon your shoulders the interest of three great nations, with the territories belonging to them. And truly, I believe I may say without any hyperbole, you have upon your shoulders the interest of all the Christian people in the world; and the expectation is, that

* Mr. Hobbes imputes this appointment of the 3rd of Sept. to a superstitious choice in Cromwell, because that day had been so lucky to him at Dunbar, in 1650, and at Worcester, in 1651. Hist. of the Civil Wars, p. 257.

* From the original edition, printed for G. Sawbridge, at the Bible on Ludgate Hill, 1654. In the title page it is said to have been taken by one who stood very near, and published to prevent mistakes.

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I should let you know, as far as I have cognizance of it, the occasion of your assembling together at this time. It hath been very well hinted to you this day, that you come hither to settle the interests before-mentioned, for it will be made of so large extention in the issue and consequence of it. In the way and manner of my speaking to you I shall study plainness, and to speak to you what is truth, and what is upon my heart, and what will in some measure reach to these concernments. After so many changes and turnings which this nation hath laboured under, to have such a day of hope as this is, and such a door of hope opened by God to us, truly, I believe some months since, would have been above all our thoughts. I confess it would have been worthy of such a meeting as this is, to have remembered that which was the rise, and gave the first beginning to all those turnings and tossings that have been upon these nations: and to have given you a series of the transactions (not of men, but) of the providence of God, all along unto our late changes; as also the ground of our first undertaking to oppose that usurpation and tyranny that was upon us, both in civils and spirituals, and the several grounds particularly applicable to the several changes that have been.—But I have two or three Reasons which divert me from such a way of proceeding at this time. If I should have gone in that way, that which is upon my heart to have said (which is written there, that if I would blot it out I could not) would have spent this day; the providences and dispensations of God have been so stupendous. As David said in the like case, Psalm xl. 5. 'Many, O Lord my God, are thy wonderful works which thou hast done; and thy thoughts which are to us ward, they cannot be reckoned up in order unto thee: if I would declare and speak of them, they are more than can be numbered.' Truly, another Reason, new to me, you had to-day in the Sermon. Much recapitulation of providence; much allusion to a state and dispensation, in respect of discipline and correction; of mercies and deliverances; the only parallel of God's dealing with us that I know in the world, which was largely and wisely held forth to you this day, Israel's bringing out of Egypt through a wilderness, by many signs and wonders, towards a place of rest; I say towards it. And that having been so well remonstrated to you this day, is another argument why I shall not trouble you with a recapitulation of those things; though they are things that I hope will never be forgotten, because written in better books than those of paper; I am persuaded written in the heart of every good man.—The third Reason was this, that which I judge to be the end of your meeting; the great end; which was likewise remembered to you this day, to wit, healing and settling. And the remembering transactions too particularly, perhaps, instead of healing, (at least in the hearts of many of you) may set the wound fresh a-bleeding.—I must profess this to you, whatever thoughts pass upon me, that if this day (that is, this meeting) prove not healing, what shall we do? But, as I said before, seeing, I trust, it is in the minds of you all, and much more in the mind of God, which must cause healing: it must be first in his mind, and he being pleased to put it into yours, it will be a day indeed; and such a day as generations to come will bless you for. I say for this, and the other reasons, I have forborne to make a particular remembrance and enumeration of things, and of the manner of the Lord's bringing us through so many changes and turnings as have passed upon us.—Howbeit, I think it will be more than necessary to let you know, at least so well as I may, in what condition this, nay these nations were, when this government was undertaken. For order's sake; It is very natural for us to consider what our condition was in civils; in spirituals. What was our condition? Every man's hand almost was against his brother; at least, his heart: little regarding any thing that should cement, and might have a tendency in it to cause us to grow into one. All the dispensations of God, his terrible ones (he having met us in the way of his judgment in a ten-years Civil War, a very sharp one); his merciful dispensations, they did not, they did not work upon us: but we had our humours and interests: and indeed I fear our humours were more than our interests: and certainly, as it fell out in such cases, our passions were more than our judgments. Was not every thing almost grown arbitrary? Who knew where, or how, to have right without some obstruction or other intervening? Indeed we were almost grown arbitrary in every thing. What was the face that was upon our affairs as to the interest of the nation; to the authority of the nation; to the magistracy; to the ranks and orders of men, whereby England hath been known for hundreds of years? A nobleman, a gentlemen, a yeoman; that is a good interest of the nation, and a great one. The magistracy of the nation, was it not almost trampled under foot, under despite and contempt, by men of levelling principles? I beseech you, for the orders of men and ranks of men, did not that levelling principle tend to the reducing all to an equality? Did it think to do so? Or did it practise towards it for property and interest? What was the design, but to make the tenant as liberal a fortune as the landlord? which, I think, if obtained, would not have lasted long. The men of that principle, after they had served their own turns, would have cried up interest and property then fast enough. This instance is instead of many, and that it may appear that this thing did extend far, is manifest; because it was a pleasing voice to all poor men, and truly not unwelcome to all bad men. To my thinking it is a consideration that, in your endeavours after settlement, you will be so well minded of, that I might well have spared this: but let that pass.—Indeed in Spiritual things, the case was

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more sad and deplorable; and that was told to you this day eminently. The prodigious blasphemies, contempt of God and Christ, denying of him, contempt of him and his ordinances, and of the Scriptures; a spirit visibly acting those things foretold by Peter and Jude; yea, those things spoken of by Paul to Timothy; who, when he would remember some things to be worse than the Antichristian state, of which he had spoken in the first to Timothy, iv. 1, 2. tells them what should be the lot and portion of the last times; and says, second to Timothy iii. 2, 3, 4. 'In the last days perilous times should come, for men should be lovers of their ownselves, covetous, boasters, proud, blasphemers, disobedient to parents, unthankful, &c.' And when he remembers that of the Antichristian state, he tells them, first to Timothy iv. 1, 2. 'That, in the latter days' that State shall come in, 'wherein there shall be a departing from the faith, and a giving heed to seducing spirits, and doctrines of devils, speaking lies in hypocrisy,' &c. By which description he makes the state of the last times worse than that under Antichrist. And surely it may well be feared these are our times; for when men forget all rules of law and nature, and break all the bonds that fallen man hath upon him, the remainder of the image of God in his nature, which he cannot blot out, and yet shall endeavour to blot out, 'having a Form of Godliness, without the power;' these are sad tokens of the last times.—And indeed the character wherewith this spirit and principle is described in that place, is so legible and visible that he that runs may read it to be amongst us; for by such the 'Grace of God is turned into wantonness,' and Christ and the spirit of God made the cloak of all villainy and spurious apprehensions. And although these things will not be owned publicly, as to practice, (they being so abominable and odious) yet how this principle extends itself, and whence it had its rise, makes me to think of a second sort of men; who, it is true, as I said, will not practise nor own these things, yet can tell the magistrate that he hath nothing to do with men thus holding; for these are matters of conscience and opinion: they are matters of religion; what hath the magistrate to do with these things? He is to look to the outward man, but not to meddle with the inward. And truly it so happens, that though these things do break out visibly to all, yet the principle wherewith these things are carried on, so forbids the magistrate to meddle with them, as it hath hitherto kept the offenders from punishment.—Such considerations and pretensions of liberty, liberty of conscience, and liberty of subjects, two as glorious things to be contended for, as any God hath given us; yet both these also abused for the patronizing of villanies, in so much as that it hath been an ordinary thing to say, and in dispute to affirm, That it was not in the magistrate's power; he had nothing to do with it; not so much as the printing a Bible in the nation for the use of the people, lest it be imposed upon the consciences of men; for they must receive the same traditionally and implicitly from the power of the magistrate, if thus received. The aforementioned abominations did thus swell to this height amongst us. The axe was laid to the root of the ministry. It was Antichristian; it was Babylonish: it suffered under such a judgment, that the truth of it is, as the extremity was great on that, I wish it prove not so on this hand. The extremity was, That no man having a good testimony, having received gifts from Christ, might preach, if not ordained. So now, many on the other hand affirm, That he who is ordained hath a nullity, or Antichristianism, stamped upon his calling, so that he ought not to preach, or not be heard. I wish it may not too justly be said, That there was severity and sharpness; yea, too much of an imposing spirit in matters of conscience; a spirit unchristian enough in any times, most unfit for these; denying liberty to those who have earned it with their blood; who have gained civil liberty and religious also for those who would thus impose upon them. We may reckon among these our Spiritual Evils, an evil that hath more refinedness in it, and more colour for it, and hath deceived more people of integrity than the rest have done; for few have been catched with the former mistakes, but such as have apostatized from their holy profession; such as being corrupt in their consciences, have been forsaken by God, and left to such noisome opinions: but, I say, there are others more refined; many honest people, whose hearts are sincere, many of them belonging to God; and that is the mistaken notion of the Fifth Monarchy. A thing pretending more spirituality than any thing else: a notion, I hope, we all honour, wait, and hope for, that Jesus Christ will have a time to set up his reign in our hearts, by subduing those corruptions, and lusts, and evils that are there, which reign now more in the world than, I hope, in due time, they shall do; and when more fulness of the spirit is poured forth to subdue iniquity, and bring in everlasting righteousness, then will the approach of that glory be. The carnal divisions and contentions amongst Christians, so common, are not the symptoms of that kingdom.—But for men to entitle themselves, upon this principle, that they are the only men to rule kingdoms, govern nations, and give laws to people; to determine of property, and liberty, and every thing else, upon such a pretence as this is; truly, they had need give clear manifestations of God's presence with them, before wise men will receive or submit to their conclusions. Besides, certainly though many of these men have good meanings, as I hope in my soul they have, yet it will be the wisdom of all knowing and experienced Christians to do as Jude saith: When he had reckoned up those horrible things done upon pretences, and happily by some upon mistakes, 'Of some,' says he, 'have compassion, making a

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difference; others save with fear, pulling them out of the fire.' I fear they will give opportunity too often for this exercise, and I hope the same will be for their good.—If men do but pretend for justice and righteousness, and be of peaceable spirits, and will manifest this, let them be the subjects of the magistrate's encouragement. And if the magistrate, by punishing visible miscarriages, save them by that discipline, (God having ordained him for that end) I hope it will evidence love, and no hatred to punish where there is cause. Indeed this is that which doth most declare the danger of that spirit; for if these were but notions, I mean the instances that I have given you both of civil considerations and spiritual; if, I say, they were but notions, they were to be let alone. Notions will hurt none but them that have them: but when they come to such practices, as to tell us, That liberty and property are not the badges of the kingdom of Christ; and tell us, That, instead of regulating laws, laws are to be abrogated, indeed subverted; and perhaps would bring in the Judaical law, instead of our known laws settled amongst us, this is worthy of every magistrate's consideration; especially where every stone is turned to bring confusion.—Whilst these things were in the midst of us, and the nation rent and torn, in spirit and principle from one end to another, after this sort and manner I have now told you; family against family; husband against wife; parents against children; and nothing in the hearts and minds of men but 'Overturn, Overturn, Overturn,' (a scripture phrase very much abused, and applied to justify unpeaceable practices by all men of discontented spirits) the common adversary in the mean time sleeps not; and our adversaries, in civil and spiritual respects, did take advantage at these divisions and distractions, and did practice accordingly in the three nations. We know very well that emissaries of the Jesuits never came in those swarms as they have done since these things were set on foot. And I tell you, that divers gentlemen here can bear witness with me, how that they have had a consistory abroad, that rules all the affairs of things in England, from an archbishop down to the other dependents upon him. And they had fixed in England (of which we are able to produce the particular instruments in most of the limits of the cathedrals) an Episcopal power, with archdeacons, &c. And had persons authorized to exercise and distribute those things, who pervert and deceive the people. And all this, while we were in this sad, and, as I said, deplorable condition. In the mean time, all endeavours possible were used to hinder the work in Ireland, and the progress of the work of God in Scotland, by continual intelligences and correspondences, both at home and abroad; from hence into Ireland, and from hence into Scotland, persons were stirred up and encouraged, from these divisions and discomposure of affairs, to do all they could to encourage and foment the war in both these places.—To add yet to our misery; whilst we were in this condition we were deeply engaged in a war with the Portugueze; whereby our trade ceased, and the evil consequences by that war were manifest and very considerable. And not only this, but we had a war with Holland; consuming our treasure, occasioning a vast burden upon the people; a war that cost this nation full as much as the taxes came unto; the navy being 160 ships, which cost this nation above 100,000*l.* a month, besides the contingences, which would make it 120,000*l.* a month. That very one war did engage us to so great a charge.—At the same time also we were in a war with France. The advantages that were taken at the discontents and divisions among ourselves, did also foment that war; and at least hinder us of an honourable peace; every man being confident we could not hold out long. And surely they did not calculate amiss, if the lord had not been exceeding gracious to us. I say, at the same time, we had a war with France. And besides the sufferings, in respect of the trade of the nation, tis most evident, that the purse of the nation had not possibly been able longer to bear it, by reason of the advantages taken by other states to improve their own and spoil our manufacture of cloth, and hinder the vent thereof; which is the great staple commodity of this nation.—This was our condition: spoiled in our trade, and we at this vast expence; thus dissettled at home, and having these engagements abroad. These things being thus, what a heap of confusions were upon these poor nations? and either things must have been left to have sunk into the miseries these premises would suppose, or a remedy must be applied.—A Remedy hath been applied: That hath been this government: a thing that I shall say little unto. The thing is open and visible to be seen and read by all men; and therefore let it speak for itself. Only let me say this, because I can speak it with comfort and confidence before a greater than you all, that is, before the Lord, That, in the intention of it, as to the approving our hearts to God, let men judge as they please, it is calculated for the interest of the people; for the interest of the people alone, and for their good, without respect had to any other interest. And if that be not true, I shall be bold to say again, let it speak for itself. Truly I may (I hope humbly before God, and modesty before you) say somewhat on the behalf of the government: That is, (not to discourse of the particular heads of it) to acquaint you a little with the effects of it; and that not for ostentation's sake, but to the end that I may deal at this time faithfully with you, by acquainting you with the state of things, and what proceedings have been upon this government, that so you may know the state of our affairs. This is the main end of my putting you to this trouble. It hath had some things in desire, and it hath done some things actually. It hath desired to reform the Laws: I say, to reform them; and, for that end, it hath called together persons (without reflection) of as great

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ability, and as great integrity, as are in these nations, to consider how the laws might be made plain and short, and less chargeable to the people; how to lessen expence for the good of the nation; and those things are in preparation, and Bills prepared, which in due time, I make no question, will be tendered to you. There hath been care taken to put the administration of the laws into the hands of just men; men of the most known integrity and ability.—The Chancery hath been reformed, and, I hope, to the just satisfaction of all good men; and for the things depending there, which made the burden and work of the honourable persons intrusted in those services beyond their ability, it hath referred many of them to those places were Englishmen love to have their rights tried, the courts of law at Westminster. It hath endeavoured to put a stop to that heady way (touched of likewise this day) of every man making himself a Minister and a Preacher. It hath endeavoured to settle a way for the approbation of men of piety and ability for the discharge of that work: and, I think I may say, it hath committed that work to the trust of persons, both of the Presbyterian and Independent judgments, men of as known ability, piety, and integrity as, I believe, any this nation hath. And I believe also, that in that care they have taken, they have laboured to approve themselves to Christ, the nation, and their own consciences. And indeed I think if there be any thing of quarrel against them, it is, (though I am not here to justify the proceedings of any) I say it is, that they go upon such a character as the Scripture warrants, to put men into that great employment, and to approve men for it, who are men that have 'received gifts from him that ascended up on high, and gave gifts for the Work of the Ministry, and for the edifying of the body of Christ.' It hath taken care, we hope, for the expulsion of all those who may be judged any way unfit for this work; who are scandalous, and the common scorn and contempt of that administration.—One thing more this government hath done: It hath been instrumental to call a Free Parliament; which, blessed be God, we see here this day: I say, a free-parliament. And that it may continue so, I hope is in the heart and spirit of every good man in England; save such discontented persons as I have formerly mentioned. It is that which, as I have desired above my life, I shall desire to keep it so above my life.—I did before mention to you the plunges we were in, in respect of Foreign States, by the War with Portugal, France, the Dutch, the Danes, and the little assurance we had from any of our neighbours round about. I perhaps forgot it, but indeed it was a caution upon my mind, and I desire that it might be so understood, that if any good hath been done, it was the Lord, not we his poor instruments. I did instance in the wars which did exhaust your treasure, and put you into such a condition that you must have sunk therein, if it had continued but a few months longer: this I dare affirm, if strong probability can give me a ground. You have now, though it be not the first in time, peace with Swedland; an honourable peace, through the endeavours of an honourable person here present, [Mr. Whitlocke,] as the instrument: I say, you have an honourable peace with a kingdom that, not many years since, was much a friend to France, and lately, perhaps, inclinable enough to the Spaniard. And I believe you expect not very much good from any of your Catholic neighbours; nor yet that they would be very willing you should have a good understanding with your Protestant friends. Yet, thanks be to God, that peace is concluded, and, as I said before, it is an honourable peace. You have a peace with the Danes: a state that lay contiguous to that part of this Island which hath given us the most trouble. And certainly, if your enemies abroad be able to annoy you, it is likely they will take their advantage, where it best lies, to give you trouble there. But you have a peace there, and an honourable one; satisfaction for your merchants ships, not only to their content, but to their rejoicing. I believe you will easily know it is so. You have the Sound open; which was obstructed. That which was, and is, the strength of this nation, the Shipping, will now be supplied thence. And whereas you were glad to have any thing of that kind at the second hand, &c. you have all manner of commerce, and at as much freedom as the Dutch themselves, there, and at the same rates and tolls; and, I think I may say, by that peace, they cannot raise the same upon you.—You have a peace with the Dutch: a peace unto which I shall say little, because so well known in the benefit and consequences of it; and I think it was as desirable and as acceptable to the spirit of this nation, as any one thing that lay before us. And, as I believe, nothing so much gratified our enemies as to see us at odds; so, I persuade myself, nothing is of more terror nor trouble to them, than to see us thus reconciled.—As a peace with the Protestant States hath much security in it, so it hath as much of honour and of assurance to the Protestant interest abroad; without which no assistance can be given thereunto. I wish it may be written upon our hearts to be zealous for that interest; for if ever it were like to come under a condition of suffering, it is now. In all the emperor's patrimonial territories, the endeavour is to drive them out as fast as they can, and they are necessitated to run to Protestant states to seek their bread; and by this conjunction of interests, I hope, you will be in a more fit capacity to help them; and it begets some reviving of their spirits that you will help them as opportunity shall serve.—You have a peace likewise with Portugal; which peace, though it hung long in hand, yet is lately concluded. It is a peace that your merchants make us believe is of good concernment to their trade; their assurance being greater, and so their profit in trade thither, than to other

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places. And this hath been obtained in that treaty, (which never was since the Inquisition was set up there) that our people which trade thither have liberty of conscience. Indeed peace is, as you were well told to-day, desireable with all men, as far as it may be had with conscience and honour. We are upon a treaty with France. And we may say this, that, if God give us honour in the eyes of the nations about us, we have reason to bless him for it, and so to own it. And I dare say that there is not a nation in Europe, but they are very willing to ask a good understanding with you.—I am sorry I am thus tedious; but I did judge that it was somewhat necessary to acquaint you with these things. And things being thus, I hope you will be willing to hear a little again of the sharp as well as the sweet: and I should not be faithful to you, nor to the interest of these nations which you and I serve, if I should not let you know all. As I said before, when this government was undertaken, we were in the midst of these divisions, and animosities, and scatterings: also thus engaged with these enemies round about us, at such a vast charge, 120,000*l.* a month for the very Fleet; which was the very utmost penny of your Assessments: aye, and then all your treasure was exhausted and spent when this goverment was undertaken; all accidental ways of bringing in treasure, to a very inconsiderable sum, consumed: that is to say, the lands were sold; the treasures spent, rents, fee-farms, king's, queen's, princes, bishops, dean and chapters, delinquents lands, sold. These were spent when this government was undertaken.—I think it is my duty to let you know so much: and that is the reason why the taxes do yet lie so heavy upon the people; of which we have abated 30,000*l.* a month for the next 3 months. Truly I thought it my duty to let you know, that though God hath dealt thus with you, yet these are but entrances and doors of hope; wherein, through the blessing of God, you may enter into rest and peace; but you are not yet entered. You were told to-day of a people brought out of Egypt towards the land of Canaan; but through unbelief, murmuring, repining, and other temptations and sins, wherewith God was provoked, they were fain to come back again, and linger many years in the wilderness before they came to the place of rest. We are thus far through the mercy of God. We have cause to take notice of it that we are not brought into misery; but, as I said before, a door of hope open. And I may say this to you, if the Lord's blessing and his presence go along with the management of affairs at this meeting, you will be enabled to put the top-stone to this work, and make the nation happy. But this must be by knowing the true state of affairs; you are yet, like the people under circumcision, but raw; your peaces are but newly made; and it is a maxim not to be despised, though peace be made, yet it is interest that keeps peace. And I hope you will trust it no further than you see interest upon it: and therefore I wish that you may go forward, and not backward; and that you may have the blessing of God upon your endeavours. It is one of the great ends of calling this parliament, that this ship of the Commonwealth may be brought into a safe harbour; which, I assure you, it will not well be, without your counsel and advice. You have great works upon your hands. You have Ireland to look unto; there is not much done towards the planting of it, though some things leading and preparing for it are. It is a great business to settle the government of that nation upon fit terms, such as will bear that work through. You, have had likewise laid before you the considerations intimating your peace with some foreign States; but yet you have not made peace with all. And if they should see we do not manage our affairs with that wisdom which becomes us, truly we may sink under disadvantages for all that is done. And our enemies will have their eyes open and be revived, if they see animosities amongst us; which indeed will be their great advantage. I do therefore persuade you to a sweet, gracious, and holy understanding of one another, and of your business, concerning which you had so good counsel this day; that indeed, as it rejoiced my heart to hear it, so I hope the Lord will imprint it upon your spirits; wherein you shall have my prayers. Having said this, and perhaps omitted many other material things through the frailty of my memory, I shall exercise plainness and freeness with you, in telling you, that I have not spoken these things as one that assumes to himself dominion over you; but as one that doth resolve to be a fellow-servant with you, to the interest of these great affairs, and of the people of these nations. I shall therefore trouble you no longer, but desire you to repair to your house, and to exercise your own liberty in the choice of a Speaker, that so you may lose no time in carrying on your work."

The Members being returned to the house, unanimously elected for their Speaker Wm. Lenthall, esq. master of the rolls. It is observable that although Cromwell had already exercised many personal acts of royalty since his advancement to the Protectorate, yet the antient ceremony of presenting the Speaker to the king, for his approbation, was omitted to his highness; so that this officer stood solely upon the election of the house.—The first Resolution of this parliament, after the choice of Mr. Lenthall for their Speaker, Mr. Scobell, for their clerk, and Mr. Birkhead for their serjeant at arms, was to appoint a Day of public Fasting and Humiliation, to be observed by that house and the whole nation.

Sept. 5. The house proceeded to appoint a large Committee for Privileges; and ordered, That no Petition against any Election of such members as were already returned, should be received after 3 weeks; and that such members, who were elected for two or more places, should declare for which they would serve.—

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A motion being made, That the house should take the matter of the Government into consideration the next morning, it was agreed to. —Accordingly, the house began with it that day; and, after long debate, a motion was made by sir Arthur Haslerig, That no Act or Ordinance, declaring what offences are Treason, should extend to prejudice the Freedom of Speech in parliament: but the house dividing upon the previous question, it passed in the negative by 187 against 130. It was next resolved, That the subject-matter of debate the next morning, should be, Whether the house shall approve that the Government should be in one Single Person and a Parliament?

Debate whether the Government should be in one Single Person and a Parliament.] Sept. 7. The house went upon the foregoing question: the Protector's party were for approving the whole Instrument of Government at once; but the Republicans were for debating it, article by article, in a committee. Upon this occasion a member stood up, and shewed the snares that were laid to entrap the people's privileges; declaring, 'That as God had made him instrumental in cutting down tyranny in one person, he could not endure to see the nation's liberties ready to be shackled by another, whose right to the government could be measured out no otherwise than by the length of his sword; which alone emboldened him to command his commanders.'* Sir A. Haslerig, Mr. Scott, and serj. Bradshaw, remarkably distinguished themselves against the court party; and were very instrumental, says Ludlow, in opening the eyes of many young members, who had never before heard their interests so clearly stated and asserted:† insomuch, that it was carried by a majority of 141 against 136, That the house be Now resolved into a committee of the whole house, to debate upon the said question. The debate took up the whole day and the three following: and though the new courtiers prevailed so far as to prevent the house from coming to any Resolution upon the foregoing question, yet the motion for referring it to a committee being carried against the Protector's party in the house, by a majority of 5 voices, it so alarmed his highness, that he began to be jealous lest his new parliament should overturn their master, and thought it high time to look to himself.

Cromwell's resentful Speech to the Members, on that Occasion.] Having, therefore, given orders to the lord mayor of London, to be upon his guard to prevent disturbances in the city, he sent a Message to the parliament on the 12th, desiring them to meet him in the Painted-Chamber.‡ The members being accordingly come thither, he delivered his sentiments to them in the following terms of resentment:

"Gentlemen; It is not long since I met you in this place, upon an occasion which gave me much more content and comfort than this doth. That which I have to say to you now will need no preamble to let me into my discourse; for the occasion of this meeting is plain enough. I could have wished, with all my heart, there had been no cause for it. At that meeting I did acquaint you what the first rise was of this government which hath called you hither; and in the authority of which you came hither. Among other things that I told you of then, I said you were a Free Parliament; and so you are, whilst you own the government and authority that called you hither; for certainly that word implied a reciprocation, or it implied nothing at all.—Indeed there was a reciprocation implied and expressed; and I think your actions and carriages ought to be suitable: but I see it will be necessary for me now a little to magnify my office; which I have not been apt to do. I have been of this mind, I have been always of this mind, since first I entered upon it, That if God will not bear it up, let it sink. But if a duty be incumbent upon me, to bear my testimony unto it, (which in modesty I have hitherto forborne) I am in some measure now necessitated thereunto: and therefore that will be the Prologue to my Discourse.—I called not myself to this place; I say again, I called not myself to this place; of that God is witness: and I have many witnesses who, I do believe, could readily lay down their lives to bear witness to the truth of that; that is to say, That I called not myself to this place: and, being in it, I bear not witness to myself; but God and the people of these nations have borne testimony to it also.—If my calling be from God, and my Testimony from the People, God and the People shall take it from me, else I will not part with it. I should be false to the trust that God hath placed in me, and to the interest of the people of these nations, if I should. That I called not myself to this place, is my first Assertion. That I bear not Witness to myself, but have many Witnessses, is my 2nd. These are the two things I shall take the Liberty to speak more fully to you of.—To make plain and clear that which I have said, I must take liberty to look back. I was by birth a gentleman, living neither in any considerable height, nor yet in obscurity: I have been called to several employments in the nation: to serve in parliaments; and because I would not be over-tedious, I did endeavour to discharge the duty of an honest man in those services, to God and his people's interest, and of the Commonwealth; having, when time was, a competent acceptation in the hearts of men, and some evidences thereof. I resolve not to recite the times, and occasions, and opportunities that have been appointed me by God to serve him in, nor the presence and blessings of God then bearing testimony to me,

* The perfect Politician; or, A full View of Cromwell's Life and Actions, p. 270, printed in 1659. † Memoirs, vol. ii. p. 300.

‡ From the original Edition, printed by the same persons as the foregoing Speech, and published for the same reasons.

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—Having had some occasions to see (together with my brethren and countrymen) a happy period put to our sharp wars and contests with the then common enemy, I hoped, in a private capacity, to have reaped the fruit and benefit, together with my brethren, of our hard labours and hazards; to wit the enjoyment of peace and liberty, and the privileges of a Christian and of a man, in some equality with others, according as it should please the Lord to dispense unto me. And when, I say, God hath put an end to our wars, at least brought them to a very hopeful issue, very near an end, after Worcester Fight I came up to London to pay my service and duty to the parliament that then sat; and hoping that all minds would have been disposed to answer that which seemed to be the mind of God, viz. to give peace and rest to his people, and especially to those who had bled more than others in the carrying on of the military affairs, I was much disappointed of my expectation, for the issue did not prove so; whatever may be boasted or misrepresented, it was not so nor so.—I can say, in the simplicity of my soul, I love not, I love not (I declined it in my former Speech); I say, I love not to rake into sores, or to discover nakednesses; that which I drive at is this, I say to you, I hoped to have had leave to have retired to a private life: I begged to be dismissed of my charge; I begged it again and again; and God be judge between me and all men if I lie in this matter. That I lie not in matter of fact, is known to very many; but whether I tell a lie in my heart, as labouring to represent to you that which was not upon my heart, I say the Lord be judge; let uncharitable men, that measure others by themselves, judge as they please. As to the matter of fact, I say it is true. As to the ingenuity and integrity of my heart in that desire, I do appeal, as before, upon the truth of that also: but I could not obtain what my soul longed for. And the plain truth is, I did afterwards apprehend that some did think (my judgment not suiting with theirs) that it could not well be. But this, I say to you, was between God and my soul; between me and that Assembly. I confess I am in some strait to say what I could say; and what is true of what then followed. I pressed the parliament, as a member, to period themselves, once, and again, and again, and ten, nay 20 times over. I told them (for I knew it better than any one man in the parliament could know it, because of my manner of life, which was to run up and down the nation, and so might see and know the temper and spirits of all men, the best of men) that the nation loathed their sitting: I knew it. And so far as I could discern, when they were dissolved there was not so much as the barking of a dog, or any general and visible repining at it. You are not a few here present that can assert this as well as myself.—And that there was high cause for their Dissolution, is most evident, not only in regard there was a just fear of that parliament's perpetuating themselves, but because it was their design. And had not their heels been trod upon by importunities from abroad, even to threats, I believe there would never have been thoughts of rising, or of going out of that room to the world's end.—I myself was sounded, and by no mean persons tempted, and Addresses were made to me to that very end, that it might have been thus perpetuated: that the vacant places might be supplied by new elections, and so continue from generation to generation.—I have declined, I have declined very much, to open these things to you; yet having proceeded thus far, I must tell you, that poor men, under this arbitrary power, were driven like flocks of sheep, by 40 in a morning, to the confiscation of goods and estates, without any man being able to give a reason that two of them had deserved to forfeit a shilling. I tell you the truth, and my soul, and many persons whose faces I see in this place, were exceedingly grieved at these things, and knew not which way to help it, but by their mournings, and giving their negatives when occasions served.—I have given you but a taste of Miscarriages. I am confident you have had opportunities to hear much more of them; for nothing is more obvious. It is true this will be said, That there was a Remedy to put an end to this perpetual parliament endeavoured, by having a future Representative. How it was gotten, and by what importunities that was obtained, and how unwillingly yielded unto, is well known.—What was this Remedy? it was a seeming willingness to have successive parliaments. What was that sucession? it was, that when one parliament had left their seat, another was to sit down immediately in the room thereof, without any caution to avoid that which was the danger, viz. perpetuating of the same parliaments; which is a sore now that will ever be running, so long as men are ambitious and troublesome, if a due Remedy be not found. So then, what was the business? it was a conversion from a parliament that should have been, and was perpetual, to a legislative power always sitting, and so the liberties, and interests, and lives of people, not judged by any certain known laws and power, but by an arbitrary power, which is incident and necessary to parliaments: by an arbitrary power, I say, to make men's estates liable to confiscation, and their persons to imprisonments; sometimes by laws made after the fact committed, often by taking the judgment, both in capital and criminal things, to themselves; who, in former times, were not known to exercise such a judicature.—This I suppose was the case, and, in my Opinion the Remedy was fitted to the disease; especially coming in the rear of a parliament, so exercising the power and authority as this had done but immediately before. Truly, I confess, upon these grounds, and with the satisfaction of divers other persons, seeing nothing could be had otherwise, that parliament was dissolved; and we desiring to see if a few might have been called to-

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gether for some short time, who might put the nation into some way of certain Settlement, did call those gentlemen out of the several parts of the nation for that purpose. And, as I have appealed to God before you already, I know, (and I hope I may say it) though it be a tender thing to make appeals to God, yet, in such exigences as these, I trust it will not offend his majesty especially to make them before persons that know God, and know what conscience is, and what it is to lie before the Lord: I say, that as a principal end in calling that Assembly, was the Settlement of the Nation; so a chief end to myself was, that I might have opportunity to lay down the power that was in my hands. I say to you again, in the presence of that God who hath blessed and been with me in all my adversities and successes, that was, as to myself, my greatest end. A desire perhaps, I am afraid, sinful enough, to be quit of the power God had most providentially put into my hand, before he called for it; and before those honest ends of our fighting were attained and settled. I say, the Authority I had in my hand being so boundless as it was, I being, by act of parliament, General of all the Forces in the 3 nations of England, Scotland, and Ireland, (in which unlimited condition I did not desire to live a day) did call that meeting for the ends before expressed.—What the event and issue of that meeting was, we may sadly remember: it hath much teaching in it, and I hope will make us all wiser for the future. But this meeting not succeeding, as I have formerly said to you, and giving such a disappointment to our hopes, I shall not now make any repetition thereof; only the effect was, That they came and brought to me a parchment, signed by very much the major part of them, expressing their resigning and re-delivery of the power and authority that was committed to them back again into my hands: and I can say it, in the presence of divers persons here, that do know whether I lie in that, that I did not know one tittle of that resignation, until they all came and brought it, and delivered it into my hands: of this there are also in this presence many witnesses.—I received this resignation, having formerly used my endeavours and persuasions to keep them together; observing their differences, I thought it my duty to give advice to them, that so I might prevail with them for union: but it had the effect that I told you, and I had my disappointment.—When this was so, we were exceedingly to seek how to settle things for the future. My power again, by this resignation, was as boundless and unlimited as before; all things being subjected to arbitrariness, and myself a person having power over the three nations boundlessly and unlimited; and, upon the matter, all government dissolved, all civil administrations at an end, as will presently be made appear.—The gentlemen that undertook to frame this Government, did consult divers days together (they being of known integrity and ability) how to frame somewhat that might give us Settlement; and they did so: and that I was not privy to their councils, they know it. When they had finished their Model in some measure, or made a very good preparation of it, it became communicative. They told me that except I would undertake the government, they thought things would hardly come to a composure and settlement; but blood and confusion would break in upon us. I denied it again and again, as God and those persons know; not complimentingly, as they also know, and as God knows. I confess, after many arguments, and after the letting of me know that I did not receive any thing that put me into any higher capacity than I was in before; but that it limited me, and bound my hands to act nothing to the prejudice of these nations, without consent of a Council until the parliament, and then limited by the parliament, as the Act of Government expresseth, I did accept it.—I might repeat this again to you if it were needful; but I think I need not. I was arbitrary in power, having the Armies in the three nations under my command; and truly not very ill beloved by them, nor very ill beloved then by the people, by the good people; and I believe I should have been more beloved if they had known the truth, as things were before God, and in themselves, and before divers of those gentlemen whom I but now mentioned unto you. I did, at the intreaty of divers persons of honour and quality, at the intreaty of very many of the chief Officers of the Army then present, and at their request, I did accept of the place and title of Protector; and was in the presence of the commissioners of the great seal, the judges, the lord mayor and aldermen of London, the soldiery, divers gentlemen, citizens, and divers other people and persons of quality, &c. accompanied to Westminster-Hall, where I took my Oath to this government. This was not done in a corner; it was open and public. This Government hath been exercised by a Council, with a desire to be faithful in all things; and, amongst all other trusts, to be faithful in calling this parliament. —And thus I have given you a very bare and lean discourse; which truly I have been necessitated unto, and contracted in, because of the unexpectedness of the occasion, and because I would not quite weary you nor myself: but this is a Narrative that discovers to you the series of Providence, and of transactions leading me into this condition wherein I now stand. —The next thing I promised you, wherein I hope I shall not be so long, (though I am sure this occasion does require plainness and freedom) is, That I brought not myself into this condition, as in my own apprehension I did not; and that I did not, the things being true which I have told you, I submit it to your judgments, and there shall I leave it, let God do what he pleaseth: the other things that I say that I am to speak to you of, are, That I have not, nor do not bear witness to myself. I am far from alluding to him that said so; yet truth concer-

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hing a member of his he will own, though men do not.—But I think, if I mistake not, I have a cloud of witnesses. I think so; let men be as froward as they will. I have witness within, without, and above. But I shall speak of them that are without, having fully spoken before of the witness above, and the witness in my own conscience, upon the other account; because that subject had more obscurity in it, and I in some sort needed appeals; and, I trust, might lawfully make them, as well as take an oath, where things where not so apt to be made evident. I shall enumerate my Witnesses as well as I can. When I had consented to accept of the Government, there was some solemnity to be performed; and that was accompanied with some persons of considerableness in all respects; who were the persons before expressed, and who accompanied me, at the time of my entering upon this Government, to Westminster-Hall to take my Oath. There was an explicit consent of interested persons, and an implicit consent of many, shewing their goodliking and approbation thereof. And, gentlemen, I do not think that you are altogether strangers to it in your country: some did not nauseate it; very many did approve it. I had the approbation of the Officers of the Army in the three nations; I say of the Officers: I had that by their Remonstrances and under signature. There went along with that explicit consent, an implicit consent of persons that had somewhat to do in the world; that had been instrumental, by God, to fight down the enemies of God and his people in the three nations. And, truly, until my hands were bound, and I limited, (wherein I took full contentment, as many can bear me witness) when I had in my hands so great a power and arbitrariness, the soldiery were a very considerable part of the nations, especially all government being dissolved: I say, when all government was thus dissolved, and nothing to keep things in order but the sword, and yet they, (which many histories will not parallel) even they were desirous that things might come to a consistency, and arbitrariness might be taken away, and the government put into a person, limited and bounded, as in the Act of Settlement, whom they distrusted the least, and loved not the worst; this was another evidence. —I would not forget the honourable and civil entertainment, with the approbation I found in the great city of London; which the city knows whether I directly or indirectly sought. And, truly, I do not think it is folly to remember this; for it was very great and high, and very public; and as numerous a body of those that are known by names and titles (the several corporations and societies of citizens in this city) as hath been at any time seen in England; and not without some appearance of satisfaction also.—I had not only this witness; but I have had, from the greatest county in England, and from many cities and boroughs, and many counties, explicit approbations; not of those gathered here and there, but from the county of York and city of York, and other counties and places, assembled in their public and general assizes; the grand Jury, in the name of the noblemen, gentlemen, yeomen, and inhabitants of that county, giving very great thanks to me for undertaking this heavy burden at such a time; and giving very great approbation and encouragement to me to go through with it. These are plain; I have them to shew; and by these, in some measure, it will appear I do not bear witness to myself.—This is not all: the Judges (and truly I had almost forgotten it) thinking that there was a dissolution of government, met and consulted, and did declare one to another, that they could not administer justice to the satisfaction of their consciences, until they had received commissions from me, and they did receive commissions from me; and by virtue of those commissions they have acted, and all the justices of the peace that have acted, have acted by virtue of like commissions; which was a little more than an implicit approbation. And I believe all the justice administered in the nation hath been by this authority; which also I lay before you, desiring you to think whether all these persons before mentioned must not come before you for an Act of Oblivion and general pardon, who have acted under, and testified to, this government, if it be disowned by you.—I have two or three witnesses more, equivalent to all these I have reckoned, if I be not mistaken, and greatly mistaken. If I should say, all you that are here are my witnesses, I should say no untruth. I know you are the same persons here that you were in the country: but I will reserve to speak to this at the last; for this will be the issue of my speech.—I say, I have two or three witnesses that are more than all I have accounted and reckoned before: for all the people in England are my witnesses, and many in Ireland and Scotland. All the sheriffs in England are my witnesses; and all that came in upon the process issued out by the sheriffs are my witnesses; yea, the returns of the elections to the clerk of the crown, not a thing to be blown away with a breath, the returns on the behalf of the inhabitants in the counties, cities, and boroughs, all are my witnesses of approbation to the condition and place I stand in.—And I shall now make you my last witnesses, and ask you whether you came not hither by my writs, directed to the several sheriffs, and so to other officers in cities and liberties, to which the people gave obedience; having also had the Act of Government communicated to them, to which end great numbers of copies were sent down, on purpose to be communicated to them; and the Government also required to be distinctly read unto the people at the place of elections, to avoid surprizes; where also they signed the Indenture, with proviso, 'That the persons so 'chosen should not have power to alter the 'Government, as now settled in one single 'person and a parliament.' And thus I have

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made good my second Assertion, That I bear not witness to myself; but the good people of England, and you all, are my witnesses.—Yea, surely; and this being so, though I told you in my last Speech that you were a Free Parliament, yet I thought it was understood that I was the Protector, and the authority that called you; and that I was in possession of the Government by a good right from God and men. And, I believe, if the learnedest men in this nation were called to shew a precedent so clear, so many ways approving of a Government, they would not in all their search find it. I did not, in my other Speech to you, take upon me to justify the Government in every particular, and I told you the reason of it, which was plain: it was public, and had been long published, that it might be under the most serious inspection of all that pleased to peruse it. By what I have said, I have approved myself to God and my conscience in my actions, and in this undertaking; and I have given cause of approving myself to every one of your consciences in the sight of God. If it be so, why should we sport with it? with a business thus serious? may not this character, this stamp, bear equal poise with any hereditary interest, which may have, and hath had, in the common law, matters of dispute and trial of learning; wherein many have exercised more wit, and spilt more blood, than I hope ever to live to see or hear of in this nation? I say, I do not know why I may not balance this providence, as in the sight of God, with any hereditary interest, as being less subject to those cracks and flaws that is commonly incident unto; which Titles have cost more blood, in former times, in this nation, than we have leisure to speak of now—Now if this be thus, and I am deriving a Title from God and men, upon such accounts as these are; although some men be froward, yet that your judgments who are persons sent from all parts of the nation, under the notion of acceptance of the Government; for you to disown, or not to own it; for you to act with parliamentary authority, especially in the disowning of it, contrary to the very fundamental things; yea, against the very root itself of this establishment; to sit, and not own the authority by which you sit, is that which, I believe, astonisheth more men than myself; and doth as dangerously disappoint and discompose the nation, as any thing could have been invented by the greatest enemy to our peace and welfare, or could well have happened.—It is true, there are some things in the establishment that are Fundamental, and some things are not so, but are Circumstantial: of such, no question but I shall easily agree to vary or leave out, as I shall be convinced by reason. Some things are Fundamentals, about which I shall deal plainly with you: these may not be parted with; but will, I trust, be delivered over to posterity, as being the fruits of our blood and travel.—The Government by a single person and a parliament is a Fundamental; it is the *esse*; it is constitutive. And for the person, though I may seem to plead for myself, yet I do not; no, nor can any reasonable man say it; but, if the things throughout this Speech be true, I plead for this nation, and all honest men therein, who have borne their testimony as aforesaid, and not for myself: and if things should do otherwise than well, which I would not fear, and the common enemy and discontented persons take advantage at these distractions, the issue will be put up before God: let him own or let him disown it, as he pleases.—In every government there must be somewhat Fundamental, somewhat like a Magna Charta, that should be standing, and be unalterable. Where there is a stipulation on one part, and that fully accepted, as appears by what hath been said, surely a return ought to be; else what does that stipulation signify? if I have, upon the terms aforesaid, undertaken this great trust, and exercised it, and, by it, called you, surely it ought to be owned.—That parliaments should not make themselves perpetual, is a Fundamental. Of what assurance is a law to prevent so great an evil, if it lie in one or the same legislature to unlaw it again? is this like to be lasting? it will be a rope of sand; it will give no security; for the same men may unbuild what they have built. Is not liberty of conscience in Religion a Fundamental? so long as there is liberty of conscience for the Supreme Magistrate to exercise his conscience in erecting what form of Church-Government he is satisfied he should set up, why should he not give it to others? Liberty of Conscience is a natural right; and he that would have it, ought to give it; having liberty to settle what he likes for the public. Indeed that hath been one of the vanities of our contest: every sect saith, Oh! give me liberty. But give him it, and, to his power, he will not yield it to any body else. Where is our ingenuity! truly that is a thing ought to be very reciprocal. The magistrate hath his supremacy, and he may settle Religion according to his conscience. And I may say it to you: I can say it: all the money of this nation would not have tempted men to fight, upon such an account as they have engaged, if they had not had hopes of liberty better than they had from episcopacy, or than would have been afforded them from a Scots presbytery, or an English either, if it had made such steps, or been as sharp and rigid, as it threatened when it was first set up.—This, I say, is a Fundamental. It ought to be so: it is for us and the generations to come. And if there be an absoluteness in the imposer, without fitting allowances, and exceptions from the rule, we shall have our people driven into wildernesses, as they were when those poor and afflicted people, that forsook their estates and inheritances here, where they lived plentifully and comfortably, for the enjoyment of their liberty, were necessitated to go into a vast howling wilderness in New-England; where they have, for liberty's sake, stript themselves of all their comfort, and the

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full enjoyment they had, embracing rather loss of friends, and want, than to be so ensnared and in bondage.—Another, which I had forgotten, is the Militia; that is judged a Fundamental, if any thing be so. That it should be well and equally placed, is very necessary; for put the absolute power of the Militia into one without a check, what doth it answer? I pray you, what check is there put upon your perpetual parliaments, if it be wholly stript of this? it is equally placed, and desires were to have it so, viz. in one person, and the parliament, sitting the parliament. What signifies a provision against perpetuating of parliaments, if this be solely in them? whether without a check, the parliament have not liberty to alter the frame of government to aristocracy, to democracy, to anarchy, to any thing, if this be fully in them? yea, into all confusion, and that without remedy? and if this one thing be placed in one, that one, be it parliament, be it a supreme governor, they or he hath power to make what they please of all the rest.—Therefore, if you would have a balance at all, and that some Fundamentals must stand, which may be worthy to be delivered over to posterity, truly, I think, it is not unreasonably urged, that the Militia should be disposed, as it is laid down in the Government; and that it should be so equally placed, that one person, neither in parliament, nor out of parliament, should have the power of ordering it. The Council are the trustees of the Commonwealth, in all intervals of parliaments, who have as absolute a negative upon the supreme officer in the said intervals, as the parliament hath whilst it is sitting. It cannot be made use of, a man cannot be raised, nor a penny charged upon the people; nothing done without consent of parliament; and, in the intervals of parliament, without consent of the council, it is not to be exercised.—Give me leave to say, That there is very little power, none but what is co-ordinate in the Supreme Officer; and yet enough in him that hath the chief government in that particular: he is bound in strictness by the parliament; and out of parliament, by the Council, that do as absolutely bind him as the parliament doth when the parliament is sitting.—For that of Money; I told you some things are circumstantials; as to have 200,000*l.* to defray Civil Officers, to pay the Judges and other Officers, defraying the Charges of the Council, in sending their Embassies, in keeping intelligence, and doing that which is necessary, and for supporting the Governor in Chief: all this, is by the Instrument, supposed and intended: but it is not of the *esse* so much, and so limited, as so many soldiers are, that is 20,000 foot and 10,000 horse. Yet, if the spirits of men be composed, 5000 horse and 10,000 foot may serve. These things are between the Chief Officer and the parliament, to be moderated as occasion shall offer.—So there are many other circumstantial things, which are not like the laws of the Medes and Persians: but the things which shall be necessary to deliver over to posterity, these should be unalterable; else every succeeding parliament will be disputing to change and alter the government, and we shall be as often brought into confusion as we have parliaments, and so make our Remedy our disease. The Lord's providence, appearing evils, appearing good, and better judgment, will give occasion for the ordering of things for the best interest of the people; and those things are the matter of consideration between you and me.—I have indeed almost tired myself: that which I have further to say is this, I would it had not been needful for me to have called you hither to have expostulated these things with you, and in such a manner as this is; but necessity hath no law. Feigned necessities, imaginary necessities, are the greatest cozenage that men can put upon the providence of God, and make pretences to break known rules by. But it is as legal, and as carnal, and as stupid, to think that there are no necessities that are manifest necessities, because necessities may be abused or feigned; and, truly, I should be so, if I should think so; and I hope none of you think so.—I say, that the wilful throwings-away of this Government, such as it is, so owned by God, so approved by men, so testified to, in the Fundamentals of it, as is before mentioned, and that in relation to the good of these nations and posterity; I can sooner be willing to be rolled into my grave, and buried with infamy, than I can give my consent unto.—You have been called hither together to save a nation;—nations. You had the best people indeed in the Christian world in your trust, when you came hither: you had affairs and these nations delivered over to you in peace and quietness: you were, and we all were, put into an uninterrupted possession. Nobody making title to us: through the blessing of God our enemies were hopeless and scattered: we had peace at home; peace almost with all neighbours round about; fit to take advantages where God did administer them.—To have our peace and interest, that had those hopes the other day, thus shaken, and under such a confusion, and we rendered hereby almost the scorn and contempt of those strangers that are amongst us to negotiate their master's affairs; to give them opportunity to see our nakedness as they do, a people that have been unhinged this twelve-years-day, and unhinged still, as if scattering, division, and confusion should come upon us as if it were desired, which are the greatest plagues God ordinarily lays upon nations for sin: I would be loath to say these are matters of our delight; but, if not, why not the matter of our care, so wisely as we ought by uttermost endeavours to avoid? Nay, when by such actions as these are, these poor nations shall be thrown into heaps of confusion, through blood, and ruin, and trouble, upon the saddest account that ever was, if breaking should come upon us, and all because we would not settle when we might; when God put it into our hands!

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Your affairs now almost settled every where; and to have all recoil upon us, and we ourselves shaken in our affections, loosened from all known and public interest, as I have mentioned to you; who shall answer for these things to God? Who can answer for these things to God, or to men? To the people that sent you hither, who looked for refreshment from you; who looked for nothing but peace, and quietness, and rest, and settlement? and when we shall come to give an account to them, we shall be able to say, Oh! we have quarrelled for, and we contested for, the liberty of England; wherein, forsooth, for the liberty of the People? I appeal to the Lord, that the desires and endeavours, and the things themselves, will speak for themselves; that the Liberty of England, the Liberty of the People, the avoiding of tyrannous Impositions, either upon men as men, or Christians as Christians, is made so safe by this Act of Settlement, that it will speak sufficiently for itself. And when it shall appear what hath been said and done, and what our transactions have been; for God can discover, and no privilege will hinder the Lord from discovering, no privilege or condition of men can hide from the Lord; he can, and will, make all manifest, if he see it for his glory. And when these shall, by the providence of God, be manifested, and the people shall come and say, gentlemen, what condition are we in? we hoped for light, and behold darkness, obscure darkness. We hoped for rest, after ten years civil wars, but are plunged into deep confusion again. Aye, we know these consequences will come upon us, if God Almighty shall not find out some way to prevent them. I had this thought within myself, that it had not been dishonest, nor dishonourable, nor against true liberty, no not of parliaments, when a parliament was so chosen, in pursuance of, in conformity to, and with such an approbation and consent to the government, so that he that runs might read by what authority you came hither, that an owning of your Call, and of the authority bringing you hither, might have been required before your entrance into the house; but this was declined, and hath not been done, because I am persuaded scarce any man could reasonably doubt you came with contrary minds. And I have reason to believe the people that sent you least doubted thereof at all; and therefore I must deal plainly with you: what I forbore upon a just confidence at first, you necessitate me unto now; that seeing the authority calling you is so little valued, and so much slighted, till some such assurance be given and made known, that the fundamental interest of the government be settled and approved, according to the proviso contained in the return, and such a consent testified as will make it appear that the same is accepted, I have caused a stop to be put to your entrance into the parliament-house.—I am sorry, I am sorry, and I could be sorry to the death, that there is cause for this: but there is cause, and if things be not satisfied that are reasonably demanded, I, for my part, shall do that which becomes me, seeking my counsel from God.—There is therefore somewhat to be offered to you, that, I hope, will answer, being understood with the Qualifications that I have told you of; reforming Circumstantials, and agreeing in the Substance and Fundamentals, which is the Government settled, as it is expressed in the Indentures, not to be altered. The making your minds known in that, by giving your assent and subscription to it, is that which will let you in to act those things as a parliament, which are for the good of the people. And this thing shewed to you, and signed as aforesaid, doth determine the controversy, and may give a happy progress and issue to this parliament. The place where you may come thus and sign, as many as God shall make free thereunto, is in the lobby without the parliament-door. The Government doth declare, that you have a legislative power without a negative from me. As the Government doth express you may make any laws, and if I give not my consent within 20 days to the passing your laws, they are, ipso facto, laws, whether I consent or no, if not contrary to the Government. You have an absolute legislative power in all things that can possibly concern the good and interest of the public; and, I think, you may make these nations happy by this Settlement; and I, for my part, shall be willing to be bound more than I am, in any thing that I may be convinced of may be for the good of the people, in preservation of the cause and interest so long contended for."

The Members subscribe a Recognition of the Government.] The Lord Protector having thus fairly told the Parliament what they were to expect, the members returned to their house, where they found a guard placed to prevent their re-entry, till such time as they had subscribed the following Recognition; a copy of which, ingrossed on parchment, was laid upon a table in the lobby for that purpose; viz.

"I do hereby freely promise and engage to 'be true and faithful to the Lord Protector, 'and the Commonwealth of England, Scot-'land, and Ireland; and shall not, according 'to the tenor of the Indenture whereby I am 'returned to serve in this present parliament, 'propose, or give my consent, to alter the Go-'vernment, as it is settled in One Person and 'a Parliament."

The Speaker and about 130 members subscribed this Recognition forthwith, and resumed their seats in the house: and then adjourned to the 11th.

Sept. 14. In the proceedings of this day we find a Vote of the house, which seems to have been passed with no other intent than to explain away, in great measure, the Recognition they had been compelled to subscribe, viz. "Resolved, That some members of the house be appointed immediately to withdraw; and, upon the present debate and sense of the house, for further satisfaction in reference to

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the Subscription, to prepare somewhat to be offered to them for their further consideration." Soon after Mr. Whitlocke, from the said committee, reported a Paper, containing these words, viz. "The Parliament doth declare, That the Recognition of the Government by the members of this parliament, in the words following, viz" [Here follows the Form as before given] "doth not comprehend, nor shall be construed to comprehend, therein the whole Government, consisting of 42 Articles; but that the same doth only include what concerns the Government of the Commonwealth, by a Single Person and successive Parliaments." This Declaration was passed without a division, and ordered to be printed and published: and the same day the Recognition was subscribed by 193 members more.

The House resume the Debate on the Government.] The clerk of the parliament having, by order of the house, brought in the original record of the Government of the Commonwealth, as it had been drawn up by the Protector and his Council, it was read, and the debate upon it ordered to begin on the 19th. Accordingly, the first Article of it was read in a committee of the whole house, and debated all that day; and it was agreed to begin with it again the next morning; and thus the debate continued on each particular Article, de die in diem, all the rest of this month, without coming to any Resolution about it.

October 1. This month began, as the last ended, with the Debate on the Government, which was carried on from day to day, and little else was done, but regulating the Returns of some Elections.

Oct. 10. The house resolved to take into their consideration the Ordinances made by the Lord Protector and his Council, and referred it to a committee to review them all, together with such laws, ordinances, and acts as had been made by the late parliament, from the 3rd July to the 10th Dec. 1653.

Oct. 19. The house still continued their Debate upon the Government. This day, the dispute was, Whether the Government in a Single Person, as Protector of the Commonwealth, should be elective or hereditary. In this debate, Lambert, in a long speech, endeavoured to persuade the parliament that it was necessary to make the office of Protector hereditary; but that, upon the question being put, it passed in the negative by 200 against 60; which greatly surprized the public and the family of the Protector, who thought himself sure, the day before, of perpetuating this dignity to his own issue.

Nov. 1. From this day to the 16th of January, the Debate on the Government was continued, three days in every week, forenoon and afternoon, without any intermission; and numerous Resolutions were passed; all of which are preserved in the Journals.

Jan. 17. This day it was resolved, "That the Bill intitled, 'An Act declaring and settling the Government of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging,' be ingrossed, in order to its presentment to the Lord Protector, for his consideration and consent: and that if the Lord Protector and the Parliament shall not agree thereunto, and to every Article thereof, then this Bill shall be void, and of none effect."

The Parliament dissolved, without passing one single Act.] Jan. 22. The house went on every day, after the last date, debating still on the Government; and the Bill, for it being read a 2nd time, more Additions and Provisoes were offered to it; which, on several divisions, (no less than 7 happening in two days time) were rejected. And they might have gone on, debating and dividing, long enough, had not the Protector come down to Westminster on this day; when, sending for the Speaker and the whole house to attend him in the Painted-Chamber, he was pleased, says the Journal, to dissolve this Parliament.

Mr. Whitlocke writes, "That, in the month of January, many things were spoken in the debates of the house, concerning the Government, which gave great offence to Cromwell and his Council, and created a suspicion that no good was to be expected from them; for they were not inclinable to satisfy the Protector's desires. On the other side, the parliament made what haste they could to finish their debates and close the business, for fear a blow from his superior hand should spoil all their labours." The same Author tells us, "That the Protector grew weary of his Parliament; and though he was advised by some not to dissolve them, urging the inconveniences that had arisen by the dissolution of former parliaments, which ever caused ill blood; or, at least, not to dissolve them till after the time was past that, by the Instrument of Government, they were to sit; yet he was not very solicitous about that, but was resolved to part with them at any rate: which some of his Council, who saw his designs, were not backward to promote."—Ludlow, speaking of Cromwell, says, "The Representative sitting at Westminster, though garbled as he thought fit, proving not sufficiently inclined to serve his designs, but rather, in prudence, yielding to the strength of the present stream, in hopes the people might, in time, recover their oars, and make use of them for the public good; he grew impatient till the five months allowed for their sitting should be expired. And though they differed not in any material point from that form of government which he himself had set up, unless it were in reserving the nomination of his successor to the parliament; yet did the omission of this one thing so enrage him, that he resolved upon their Dissolution. They had prepared all things to offer to him, and had been very cautious of giving him any just occasion of offence; well knowing that, in case they had given him the least pretence of dissatisfaction, he would have laid all the blame at their door; and

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therefore they prudently left the settling of the Church-Government, and the Liberty that was to be extended to tender Consciences, (an engine by which Cromwell did most of his work) to the consideration of the next Assembly: whereupon he wanting wherewith justly to accuse them, unless it were for too much complying with him to the prejudice of the Commonwealth, after he had perused the Form of Government which the Assembly had agreed upon, and tendered to him for his consideration; the five months of their session, according to the soldiers account of 28 days to the month, being expired, they were ordered to attend him on the 22d of Jan. in the Painted-Chamber; where he made up with words and passion, what he wanted of matter to charge them with." Thus far Mr. Ludlow's account of this affair.

Cromwell's Speech on dissolving his Second Parliament.] The Protector's Speech upon this occasion was as follows:*

"Gentlemen; I perceive you are here as the house of parliament, by your Speaker, whom I see here, and by your faces, which are, in a great measure, known to me.—When I first met you in this room, it was, to my apprehension, the hopefullest day that ever mine eyes saw, as to considerations of this world: for I did look at (as wrapt up in you, together with myself) the hopes and the happiness of (though not of the greatest, yet a very great, and) the best people in the world; and truly and unfeignedly I thought so; as a people that have the highest and the clearest profession among them, of the greatest glory, viz. religion; as a people that have been, like other nations, some times up and some times down in our honour in the world, but yet never so low but we might measure with other nations; and a people that have had a stamp upon them from God; God having, as it were, summed up all our former glory and honour, in the things that are of glory to nations, in an epitome, within these 10 or 12 years last past; so that we knew one another at home, and are well known abroad.—And, if I be not very much mistaken, we were arrived at a very safe port, where we might sit down and contemplate the dispensations of God and our mercies; and might know our mercies not to have been like to those of the antients, who did make out their peace and prosperity, as they thought, by their own endeavours; who could not say, as we, that all ours were let down to us from God himself, whose appearances and providences amongst us are not to be outmatched by any story.—Truly this was our condition, and I know nothing else we had to do, save as Israel was commanded, in that most excellent Psalm of David. Psal. lxxviii. 'The things which we have heard and known, and our Fathers have told, us we will not hide them from their Children; &c.' This I thought had been a Song and a Work worthy of England, whereunto you might have happily invited them, had you had hearts unto it. You had this opportunity fairly delivered unto you; and if a history shall be written of these times and transactions, it will be said (it will not be denied) that these things that I have spoken are true. This talent was put into your hands; and I shall recur to that which I said at the first, I came with very great joy, and contentment, and comfort, the first time I met you in this place; but we and these nations are, for the present under some disappointment. If I had proposed to have played the orator, (which I never did affect, nor do, nor I hope shall) I doubt not but upon easy suppositions, which I am persuaded every one among you will grant, we did meet upon such hopes as these.—I met you a second time here; and, I confess, at that meeting I had much abatement of my hopes, though not a total frustration. I confess that that which damped my hopes so soon, was somewhat that did look like a parricide. It is obvious enough unto you, that the management of affairs did favour of a not owning the authority that called you hither; but God left us not without an expedient that gave a second possibility: shall I say a possibility? It seemed to me a probability, of recovering out of that dissatisfied condition we were all then in, towards some mutuality of satisfaction; and therefore, by that Recognition, suiting with the Indenture that returned you hither, to which afterwards also was added your own Declaration, conformable to, and in acceptance of that expedient; whereby you had, though with a little check, another opportunity renewed unto you to have made this nation as happy as it could have been, if every thing had smoothly run on from that first hour of your meeting.—And indeed (you will give me liberty of my thoughts and hopes) I did think, as I have formerly found in that way that I have been engaged in as a soldier, that some affronts put upon us, some disasters at the first, have made way for very great and happy successes: and I did not at all despond, but the stop put upon you would, in like manner, have made way for a blessing from God; that interruption being, as I thought, necessary to divert you from destructive and violent proceedings, to give time for better deliberations; whereby, leaving the government as you found it, you might have proceeded to have made those good and wholesome laws, which the people expected from you; and might have answered the Grievances, and settled those other things proper to you as a parliament, and for which you would have had thanks from all that entrusted you.—What hath happened since that time, I have not taken public notice of, as declining to intrench upon parliament privileges: for, sure I am, you will all bear me witness, that from your entering into the house upon the Recog-

* From the original Edition, printed by Henry Hills, Printer to his Highness the Lord Protector, and published to prevent Mistakes and false Copies.

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nition, to this very day, you have had no manner of interruption or hinderance of mine, in proceeding to that blessed issue the heart of a good man could propose to himself, to this very day.—You see you have me very much locked up as to what you have transacted among yourselves from that time to this; but some things I shall take liberty to speak of to you. As I may not take notice what you have been doing, so I think I have a very great liberty to tell you, that I do not know what you have been doing; I do not know whether you have been alive or dead; I have not once heard from you all this time; I have not, and that you all know: if that be a fault that I have not, surely it hath not been mine. —If I have had any melancholy thoughts, and have sat down by them, why might it not have been very lawful for me to think that I was a person judged unconcerned in all these businesses? I can assure you I have not reckoned myself, nor did I reckon myself, unconcerned in you; and so long as any just patience could support my expectation, I would have waited to the uttermost to have received from you the issues of your consultations and resolutions: I have been careful of your safety, and the safety of those that you represented, to whom I reckon myself a servant.—But what Messages have I disturbed you withal? What injury or indignity hath been done or offered, either to your persons, or to any privileges of parliament since you sat? I looked at myself as strictly obliged by my Oath since your recognizing the Government, in the authority of which you were called hither, and sat, to give you all possible security, and to keep you from any unparliamentary interruption.—I say I have been caring for you, for your quiet sitting; caring for your privileges, that they might not be interrupted; have been seeking of God, from the Great God, a blessing upon you, and a blessing upon these nations; I have been consulting if possibly I might in any thing promote, in my place, the real good of this parliament, of the hopefulness of which I have said so much unto you. And I did think it to be my business rather to see the utmost issue, and what God would produce by you, than unseasonably to intermeddle with you: but, as I said before, I have been caring for you, and for the peace and quiet of the nations; indeed I have, and that I shall a little presently manifest unto you.—And it leadeth me to let you know somewhat that I fear, I fear will be, through some interpretation, a little too justly put upon you, whilst you have been employed as you have been, and (in all that time expressed in the government, in that government, I say in that government) brought forth nothing that you yourselves say can be taken notice of, without infringement of your privileges. —I will tell you somewhat, that, if it be not news to you, I wish you had taken very serious consideration of; if it be news, I wish I had acquainted you with it sooner; and yet if any man will ask me why I did it not, the reason is given already, because I did make it my business to give you no interruption. There be some trees that will not grow under the shadow of other trees; there be some that chuse (a man may say so by way of allusion) to thrive under the shadow of other trees. I will tell you what hath thriven; I will not say what you have cherished under your shadow; that were too hard. Instead of peace and settlement, instead of mercy and truth being brought together, righteousness and peace kissing each other, by reconciling the honest people of these nations, and settling the woful distempers that are amongst us, which had been glorious things, and worthy of Christians to have proposed, weeds and nettles, briars and thorns, have thriven under your shadow; dissettlement and division, discontent and dissatisfaction, together with real dangers to the whole, have been more multiplied within these 5 months of your sitting, than in some years before. Foundations have been also laid for the future renewing the troubles of these nations, by all the enemies of it abroad and at home: let not these words seem too sharp, for they are true as any mathematical demonstrations are or can be. I say, the enemies of the peace of these nations, abroad and at home; the discontented humours throughout these nations, which I think no man will grudge to call by that name, or to make to allude to briars and thorns, they have nourished themselves under your shadow. —And that I may be clearly understood, they have taken the opportunities from your sitting, from the hopes they had, which with easy conjecture they might take up, and conclude that there would be no Settlement; and therefore they have framed their designs, preparing for the execution of them accordingly. Now whether (which appertains not to me to judge of on their behalf) they had any occasion ministered for this, and from whence they had it, I list not to make any scrutiny or search; but I will say this, I think they had them not from me, I am sure they had not; from whence they had it is not my business now to discourse, but that they had, is obvious to every man's sense. What preparations they have made to execute in such a season as they thought fit to take their opportunity from, that I know (not as men know things by conjecture, but) by certain demonstrable knowledge; that they have been, for some time past, furnishing themselves with arms, nothing doubting but that they should have a day for it; and verily believing, that whatsoever their former disappointments were, they should have more done for them by, and from, our own divisions, than they were able to do for themselves. I desire to be understood, that in all I have to say of this subject, you will take it that I have no reservation in my mind (as I have not) to mingle things of guess and suspicion with things of fact; but the things I am telling of are fact, things of evident demonstration.—These weeds, briars, and thorns, they have been preparing; and have brought their designs to some

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maturity, by the advantages given to them, as aforesaid, from your sitting and proceedings; but by the waking Eye that watched over that cause that God will bless, they have been, and yet are, disappointed. And having mentioned that cause, I say that slighted cause, let me speak a few words in behalf thereof, though it may seem too long a digression. Whosoever despiseth it, and will say it is *non causa pro causa*, the all-searching Eye before-mentioned will find out that man, and will judge him as one that regardeth not the works of God, nor the operations of his hands; for which God hath threatened that he will cast men down, and not build them up. That because he can dispute, and tell us he knew not where the cause begun, nor where it is, but modelleth it according to his own intellect, and submits not to the appearances of God in the world; therefore he lifts up his heel against God and mocketh at all his providences, laughing at the observations made up, not without reason and the scriptures, but by the quickening and teaching spirit which gives life to the other, calling such observations enthusiasms. Such men, I say, no wonder if they stumble and fall backward, and be broken, and snared, and taken by the things of which they are so maliciously and wilfully ignorant. The Scriptures say, 'The Rod has a voice, and he will make himself known by the Judgments which he executeth;' and do we not think he will, and does, by the providences of mercy and kindness which he hath for his people, and for their just liberties 'whom he loves as the apple of his eye?' doth he not by them manifest himself? and is he not thereby also seen, giving kingdoms for them, giving men for them, and people for their lives? Is not this as fair a lecture, and as clear speaking, as any thing our dark reason left to the letter of the scriptures can collect from them? by this voice has God spoken very loud on the behalf of his people, by judging their enemies in the late war, and restoring them a liberty to worship with the freedom of their consciences, and freedom in their estates and persons when they do so. And thus we have found the cause of God by the works of God, which are the testimony of God; upon which rock whosoever splits shall suffer shipwreck.—But it is your glory, and it is mine, if I have any in the world, concerning the interest of those that have an interest in a better world; it is my glory that I know a cause, which yet we have not lost, but do hope we shall take a little pleasure rather to lose our lives than lose. But you will excuse this long digression.—I say unto you, whilst you have been in the midst of these transactions, that party, that Cavalier party, (I could wish some of them had thrust in here to have heard what I say) the Cavalier party have been designing and preparing to put this nation in blood again with a witness; but because I am confident there are none of that sort here, therefore I shall say the less to that; only this I must tell you, they have been making great preparations of arms; and I do believe it, will be made evident to you, that they have raked out many thousands of arms, even all that this city could afford, for divers months last past.—But it will be said, may we not arm ourselves for the defence of our houses? will any body find fault for that? no, for that the reason of their doing so hath been as explicit, and under as clear proof, as the fact of doing so; for which I hope, by the justice of the land, some will, in the face of the nation, answer it with their lives, and then the business will be pretty well out of doubt.—Banks of money have been framing for these and other such like uses; letters have been issued with privy-seals, to as great persons as most are in the nation, for the advance of monies, which have been discovered to us by the persons themselves; commissions for regiments of horse and foot, and command of castles, have been likewise given from Charles Stuart, since your sitting; and what the general insolences of that party have been, the honest people have been sensible of, and can very well testify. It hath not been only thus; but as in a quinsey or pleurisy, where the humour fixeth in one part, give it scope it will gather to that place, to the hazarding of the whole; and it is natural to do so, till it destroy nature in that person on whomsoever this befals. So likewise will those diseases take accidental causes of aggravation of their distemper; and this was that which I did assert, That they have taken accidental causes for the growing and encreasing of those distempers, as much as would have been in the natural body, if timely remedy were not applied. And, indeed, things were come to that pass (in respect of which I shall give you a particular account) that no mortal physician, if the Great Physician had not stept in, could have cured the distemper. Shall I lay this upon your account, or my own? I am sure I can lay it upon God's account; that if he had not stept in, the disease had been mortal and destructive; and what is all this? truly I must needs say, a company of men still, like briars and thorns, and worse, if worse can be; of another sort than those before-mentioned to you, have been, and yet are endeavouring to put into blood, and into confusion; more desperate and dangerous confusion than England ever yet saw.—And I must say, as when Gideon commanded his son to fall upon Zeba and Zalmunna, and slay them, they thought it more noble to die by the hand of a man, than of a stripling; which shews, there is some contentment in the hand by which a man falls: so it is some satisfaction, if a Commonwealth must perish, that it perish by men, and not by the hands of persons differing little from beasts; that if it must needs suffer, it should rather suffer from rich men than from poor men; who as Solomon says, 'when they oppress, they leave nothing behind them, but are as a sweeping rain.'—Now, such as these also are grown up under your shadow. But it will be asked, What have they done? I hope, though they pretend

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Commonwealths interest, they have had no encouragement from you; but that, as before, rather taken it, than that you have administered any cause unto them for so doing, from delays, from hopes that this parliament would not settle; from Pamphlets, mentioning strange Votes and Resolves of yours, which I hope did abuse you. Thus you see, whatever the grounds were, these have been the effects. And thus I have laid these things before you, and you and others will be easily able to judge how far you are concerned.—And what have these men done? They have also laboured to pervert where they could, and as they could, the honest-meaning people of the nation. They have laboured to engage some in the Army; and I doubt that not only they, but some others also, very well known to you, have helped in this work of debauching and dividing the Army; they have, they have, I would be loath to say, who, where, and how, much more loath to say they were any of your own number; but I can say, endeavours have been to put the Army into a distemper, and to feed that which is the worst humour in the Army; which, though it was not a mastering humour, yet these took their advantage from delay of the Settlement, and the practices before mentioned, and stopping the pay of the Army to run us into Free Quarter, and to bring us into the inconveniencies most to be feared and avoided.—What if am I able to make it appear in fact, that some amongst you have run into the city of London, to persuade to Petitions and Addresses to you for reversing your own Votes that you have passed? Whether these practices were in favour of your liberties, or tended to beget hopes of peace and settlement from you; and whether debauching the Army in England, as is before expressed, and starving it, and putting it upon Free Quarter, and occasioning and necessitating the greatest part thereof in Scotland to march into England, leaving the remainder thereof to have their throats cut there; and kindling, by the rest, a fire in our own bosoms, were for the advantage of affairs here, let the world judge? this I tell you also, that the correspondency held with the interest of the Cavaliers, by that party of men called Levellers, and who call themselves Commonwealths Men; whose Declarations were framed to that purpose, and ready to be published at the time of their common rising, whereof we are possessed, and for which we have the confession of themselves now in custody; who confess also they built their hopes upon the assurance they had of the parliament's not agreeing to a settlement, whether these humours have not nourished themselves under your boughs, is the subject of my present discourse; and I think I say not amiss if I affirm it to be so.—And I must say it again, that that which hath been their advantage, thus to raise disturbance, hath been by the loss of those golden opportunities that God hath put into your hands for Settlement. Judge you whether these things were thus or not when you first sat down; I am sure things were not thus; there was a very great peace and sedateness throughout these nations, and great expectations of a happy Settlement, which I remembered to you at the beginning of my speech, and hoped that you would have entered upon your business as you found it.—There was a government in the possession of the people, for many months; it hath now been exercised near 15 months; and if it were needful that I should tell you how it came into their possession, and how willingly they received it; how all law and justice were distributed from it in every respect, as to life, liberty, and estate; how it was owned by God, as being the dispensation of his providence, after 12 years war, and sealed and witnessed unto by the people, I should but repeat what I said in my last speech made unto you in this place, and therefore I forbear.—When you were entered upon this government, ravelling into it, (you know I took no notice what you were doing) if you had gone upon that foot of account, to have made such good and wholesome provisions for the good of the people of these nations, for the settling of such matters in things of Religion as would have upheld and given countenance to a godly ministry; and yet would have given a just liberty to godly men of different judgments, men of the same faith with them that you call the orthodox ministry in England, as it is well known the Independants are, and many under the form of Baptism, who are sound in the faith, only may perhaps be different in judgment in some lesser matters; yet as true Christians, both looking at salvation only by faith in the blood of Christ; men professing the fear of God, having recourse to the name of God, as to a strong tower; I say you might have had opportunity to have settled peace and quietness amongst all professing godliness, and might have been instrumental, if not to have healed the breaches, yet to have kept the godly of all judgments from running one upon another; and by keeping them from being over-run by a common enemy, rendered them and these nations both secure, happy, and well satisfied.—Are these things done, or any thing towards them? is there not yet upon the spirits of men a strange itch? nothing will satisfy them, unless they can put their finger upon their brethren's consciences, to pinch them there. To do this was no part of the contest we had with the common adversary; for religion was not the thing at the first contested for; but God brought it to that issue at last, and gave it unto us by way of redundancy; and at last it proved to be that which was most dear to us; and wherein consisted this, more than in obtaining that liberty, from the tyranny of the bishops, to all species of Protestants, to worship God according to their own light and consciences? for want of which many of our brethren forsook their native countries, to seek their bread from strangers, and to live in howling wildernesses; and for which also many that remained here

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were imprisoned and otherwise abused, and made the scorn of the nation.—Those that were sound in the faith, how proper was it for them to labour for liberty, for a just liberty, that men should not be trampled upon for their consciences? had not they laboured but lately under the weight of persecutions, and was it fit for them to sit heavy upon others? is it ingenuous to ask liberty, and not to give it, what greater hypocrisy, than for those who were oppressed by the Bishops to become the greatest oppressors themselves, so soon as their yoke was removed? I could wish that they who call for liberty now also had not too much of that spirit, if the power were in their hands.—As for profane persons, blasphemers, such as preach sedition, the contentious railers, evil speakers, who seek, by evil words, to corrupt good manners, persons of loose conversations, punishment from the civil magistrate ought to meet with them; because, if these pretend conscience, yet walking disorderly, and not according but contrary to the gospel, and even to natural light, they are judged of all; and their sins, being open, make them subjects of the magistrates sword, who ought not to bear it in vain.—The discipline of the Army was such, that a man would not be suffered to remain there, of whom we could take notice he was guilty of such practices as these: and therefore how happy would England have been, and you, and I, if the Lord had led you on to have settled upon such good accounts as these are, and to have discountenanced such practices as the other, and left men in disputable things free to their own consciences; which was well provided for by the government, and liberty left to provide against what was apparently evil.—Judge you, whether the contesting for things that were provided for by this government hath been profitable expence of time for the good of these nations? by means whereof you may see you have wholly elapsed your time, and done just nothing. I will say this to you in behalf of the Long Parliament, that had such an expedient as this government been proposed to them, and that they could have seen the Cause of God thus provided for; and had, by debates, been enlightened in the grounds by which the difficulties might have been cleared, and the reason of the whole inforced, the circumstances of time and persons, with the temper and dispositions of the people, and affairs both abroad and at home, when it was undertaken, well weighed, (as well as they were thought to love their seats) I think in my conscience, that they would have proceeded in another manner than you have done; and not have exposed things to those difficulties and hazards they now are at, nor given occasion to leave the people so dissettled as now they are; who, I dare say, in the soberest and most judicious part of them, did expect not a questioning, but a doing things in pursuance of the government; and, if I be not misinformed, very many of you came up with this satisfaction, having had time enough to weigh and consider the same.—And when I say such an expedient as this government is, wherein I dare assert there is a just liberty to the people of God, and the just rights of the people in these nations provided for, I can put the issue thereof upon the clearest reason, whatsoever any go about to suggest to the contrary. But this not being the time and place of such an averment, for satisfaction sake herein enough is said in a Book, intituled, 'A State of the Case of the Commonwealth,' and for myself I desire not to keep it an hour longer than I may preserve England in its just rights, and may protect the people of God in such a just liberty of their consciences as I have already mentioned: and therefore if this parliament have judged things to be otherwise than as I have stated them, it had been huge friendliness between persons that had such a reciprocation, and in so great concernments to the public, for them to have convinced me in what particulars therein my error lay, of which I never yet had a word from you: but, if instead thereof, your time has been spent in setting up somewhat else upon another bottom than this stands, that looks as if the laying grounds of a quarrel had rather been designed, than to give the people Settlement; if it be thus, it is well your labours have not arrived to any maturity at all.—This government called you hither, the constitution thereof being so limited, a Single Person and a parliament; and this was thought most agreeable to the general sense of the nation, having had experience enough by trial of other conclusions, judging this most likely to avoid the extremes of monarchy on the one hand, and democracy on the other, and yet not to found Dominium in Gratia; and, if so, then certainly to make it more than a notion it was requisite that it should be as it is in the government, which puts it upon a true and equal balance. It has been already submitted to the judicious honest people, of this nation, whether the balance be not equal; and what their judgment is, is visible, by submission to it, by acting upon it, by restraining their trustees from meddling with it: and it neither asks or needs any better ratification. But when trustees in parliament shall, by experience, find any evil in any parts of the government, referred by the government itself to the consideration of the Protector and Parliament (of which time itself will be the best discoverer) how can it be reasonably imagined, that a person, or persons, coming in by election, and standing under such obligations, and so limited, and so necessitated by Oath to govern for the people's good, and to make their love, under God, the best under-propping, and his best interest to him; how can it, I say, be imagined, that the present or succeeding Protectors will refuse to agree to alter any such thing in the government that may be found to be for the good of the people, or to recede from any thing which he might be convinced casts the balance too much to the single person?

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And although, for the present, the keeping up, and having in his power, the Militia, seems the most hard, yet if it should be yielded up at such a time as this, when there is as much need to keep this cause by it (which is most evidently at this time impugned by all the enemies of it) as there was to get it, what would become of all? Or if it should not be equally placed in him and the parliament, but yielded up at any time, it determines his power, either for doing the good he ought, or hindering parliaments from perpetuating themselves, or from imposing what religions they please on the consciences of men, or what government they please upon the nation; thereby subjecting us to dissettlement in every parliament, and to the desperate consequences thereof: and if the nation shall happen to fall into a blessed peace, how easily and certainly will their charge be taken off, and their forces be disbanded; and then where will the danger be to have the Militia thus stated?—What if I should say, if there should be a disproportion or disequality as to the power, it is on the other hand; and, if this be so, wherein have you had cause to quarrel? What demonstrations have you held forth to settle me to your opinion? I would you had made me so happy as to have let me have known your Grounds. I have made a free and ingenuous confession of my faith to you, and I could have wished it had been in your hearts to have agreed that some friendly and cordial debates might have been towards mutual conviction: was there none amongst you to move such a thing? No fitness to listen to it? No desire of a right understanding? If it be not folly in me to listen to town-talk, such things have been proposed and rejected with stiffness and severity, once and again; was it not likely to have been more advantageous to the good of this nation? I will say this to you for myself, and to that I have my conscience as a thousand witnesses, and I have my comfort and contentment in it; and I have the witness of divers here, that, I think, truly scorn to own me in a lye, that I would not have been averse to any alteration, of the good of which I might have been convinced, although I could not have agreed to the taking it off the foundation on which it stands, viz. the acceptation and consent of the people.—I will not presage what you have been about or doing in all this time, nor do I love to make conjectures; but I must tell you this, that as I undertook this government in the simplicity of my heart, and as before God, and to do the part of an honest man, and to be true to the interest which, in my conscience, is dear to many of you, (though it is not always understood what God in his wisdom may hide from us, as to Peace and Settlement) so I can say, that no particular interest, either of myself, estate, honour, or family, are, or have been, prevalent with me to this undertaking. —For if you had, upon the old government, offered to me this one, this one thing, (I speak, as thus advised, and before God, as having been to this day of this opininn; and this hath been my constant judgment, well known to many that bear me speak) if this one thing had been inserted, this one thing that the government should have been placed in my family hereditarily, I would have rejected it; and I could have done no other, according to my present conscience and light; I will tell you my reason, though I cannot tell what God will do with me, nor you, nor the nation, for throwing away precious opportunities committed to us.—This hath been my principle, and I liked it when this government came first to be proposed to me, that it puts us off that hereditary way; well looking, that as God had declared what government he had delivered over to the Jews, and placed it upon such persons as had been instrumental for the conduct and deliverance of his people: and considering that promise in Isaiah, that God would 'give Rulers as at the first, and Judges as at the beginning,' I did not know but that God might begin; and though at present with a most unworthy person, yet, as to the future, it might be after this manner, and I thought this might usher it in. I am speaking as to my judgment against making it hereditary, to have men chosen for their love to God, and to truth and justice, and not to have it hereditary; for as it is in Ecclesiastes, 'Who knoweth whether he may beget a fool or a wise man,' honest or not? whatever they be, they must come in on that account, because the government is made a patrimony. And this I do perhaps declare with too much earnestness, as being my own concernment, and know not what place it may have in your hearts, and of the good people in the nation; but, however it be, I have comfort in this my truth and plainness. I have thus told you my thoughts, which, truly, I have declared to you in the fear of God, as knowing he will not be mocked; and in the strength of God, as knowing and rejoicing that I am kept in my speaking especially when I do not form or frame things without the compass of integrity and honesty, that my own conscience gives me not the lye to what I say; and then, in what I say, I can rejoice.—Now, to speak a Word or two to you: of that I must profess, in the name of the same Lord, and wish that there had been no cause that I should have thus spoken to you; and though I have told you that I came with joy the first time, with some regret the second, yet now I speak with most regret of all. I look upon you, as having among you many persons that I could lay down my life individually for; I could, through the grace of God, desire to lay down my life for you; so far am I from having an unkind or unchristian heart towards you in your particular capacities. I have this indeed as a work most incumbent upon me; I consulted what might be my duty in such a day as this, casting up all considerations. I must confess, as I told you, that I did think occasionally, this nation hath suffered extremely in the respects mentioned, as also in the disappointments of

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their expectations of that justice that was due to them by your sitting thus long; and what have you brought forth? I did not, nor cannot, apprehend what it is; I would be loath to call it a fate, that were too Paganish a word; but there was something in it that we have not in our expectations. I did think also, for myself, that I am like to meet with difficulties; and that this nation will not, as it is fit it should not, be deluded with pretexts of necessity in that great business of raising of Money: and were it not that I can make some dilemmas, upon which to resolve some things of my conscience, judgment, and actions, I should sink at the very prospect of my encounters; some of them are general, some are more special. Supposing this cause, or this business, must be carried on, it is either of God, or of man; if it be of man, I would I had never touched it with a finger. If I had not had a hope fixed in me that this cause, and this business, is of God, I would many years ago have run from it; if be of God, he will bear it up; if it be of man, it will tumble, as every thing that hath been of man since the world began hath done. And what are all our histories, and other traditions of actions in former times, but God manifesting himself, that he hath shaken and tumbled down, and trampled upon, every thing that he hath not planted? and as this is, so the All-wise God deal with it.—If this be of human structure and invention, and it be an old plotting and contrivance to bring things to this issue, and that they are not the births of Providence, then they will tumble: but if the Lord take pleasure in England, and if he will do us good, he is able to bear us up; let the difficulties be whatsoever they will, we shall, in his strength, be able to encounter with them. And, I bless God, I have been inured to difficulties, and I never found God failing when I trusted in him: I can laugh and sing in my heart when I speak of these things to you, or elsewhere. And though some may think it is an hard thing, without parliamentary authority, to raise money upon this nation; yet I have another argument to the good people of this nation, if they would be safe, and have no better principle; whether they prefer the having of their will, though it be their destruction, rather than comply with things of necessity? that will excuse me; but I should wrong my native country to suppose this. For I look at the people of these nations as the blessing of the Lord, and they are a people blessed by God. They have been so, and they will be so, by reason of that immortal seed which hath been and is among them, those regenerated ones in the land of several judgments who are all the flock of Christ, and lambs of Christ, though perhaps under many unruly passions and troubles of spirit, whereby they give disquiet to themselves and others; yet they are not so to God as to us; he is a God of other patience, and he will own the least of truth in the hearts of his people; and the people being the blessing of God, they will not be so angry but they will prefer their safety to their passions, and their real security to forms, when necessity calls for Supplies. Had they not well been acquainted with this principle, they had never seen this day of Gospel-Liberty.—But if any man shall object, It is an easy thing to talk of necessities, when men create necessities; would not the Lord Protector make himself great, and his family great? Doth not he make these necessities? And then he will come upon the people with this argument of necessity. This were something hard indeed; but I have not yet known what it is to make necessities, whatsoever the judgments or thoughts of men are. And I say this, not only to this assembly but to the world, that that man liveth not that can come to me and charge me that I have, in these great revolutions, made necessities; I challenge even all that fear God; and as God hath said, 'my Glory I will not give unto another;' let men take heed, and be twice advised, how they call his revolutions the things of God, and his working of things from one period to another, how, I say, they call them necessities of men's creation; for by so doing they do vilify and lessen the works of God, and rob him of his glory, which, he hath said, he 'will not give unto another,' nor suffer to be taken from him. We know what God did to Herod when he was applauded, and did not acknowledge God; and God knoweth what he will do with men when they shall call his revolutions human designs, and so detract from his glory, when they have not been forecast, but sudden providences in things, whereby carnal and worldly men are enraged; and under and at which many, I fear, (some good) have murmured and repined, because disappointed of their mistaken fancies: but still they have been the wise disposings of the Almighty, though instruments have had their passions and frailties; and I think it is an honour to God to acknowledge the necessities to have been of God's imposing, when truly they have been so, as indeed they have, when we take our sin in our actings to ourselves; and much more safe than to judge things so contingent as if there were not a God that ruled the earth. We know the Lord hath poured this nation from vessel to vessel, till he poured it into your lap, when you came first together: I am confident that it came so into your hands; and was not judged by you to be from counterfeited or feigned necessity, but by divine providence and dispensation. And this I speak with more earnestness, because I speak for God, and not for men; I would have any man to come and tell of the transactions that have been, and of those periods of time wherein God hath made these revolutions, and find where they can fix a feigned necessity. I could recite particulars, if either my strength would serve me to speak, or yours to hear; if that you would revolve the great Hand of God in his great dispensations, you would find that there is scarce a man that fell

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off at any period of time when God had any work to do, that can give God or his work, at this day, a good word. It was, say some, the cunning of the Lord Protector; I take it to myself: it was the craft of such a man, and his plot that hath brought it about: and, as they say in other countries, there are five or six cunning men in England that have skill, they do all these things: Oh what blasphemy is this! because men, that are without God in the world, and walk not with him, know not what it is to pray, or believe, and to receive returns from God, and to be spoken unto by the spirit of God, who speaks without a written word sometimes, yet according to it. God hath spoken heretofore in divers manner, let him speak as he pleaseth: hath he not given us liberty? Nay, is it not our duty to go to the law and to the testimony? And there we shall find that there have been impressions in extraordinary cases, as well without the written word as with it; and therefore there is no difference in the thing thus asserted from truths generally received, except we will exclude the Spirit, without whose concurrence all other teachings are ineffectual. He doth speak to the hearts and consciences of men, and leadeth them to his law and testimony; and there he speaks to them, and so gives them double teachings according to that of Job, 'God speaketh once, yea twice;' and that of David, 'God hath spoken once, yea twice have I heard this.' Those men that live upon their *Mumpsimus* and *Sumpsimus*, their masses and Service-Books, their dead and carnal worship, no marvel if they be strangers to God, and the works of God, and to spiritual dispensations. And because they say and believe thus, must we do so too? We in this land have been otherwise instructed, even by the Word, and works, and spirit of God. To say that men bring forth these things, when God doth them, judge you if God will bear this. I wish that every sober heart, though he hath had temptations upon him of deserting this cause of God, yet may take heed how he provokes, and falls into the hands of, the living God by such blasphemies as these, according to Hebrews, c. x 'If we sin wilfully after that we have received the knowledge of the truth, there remains no more sacrifice for sin.' It was spoken to the Jews that, having professed Christ, apostatized from him: what then? nothing but 'a fearful falling into the hands of the living God.' They that shall attribute to this or that person the contrivances and production of those mighty things God hath wrought in the midst of us; and that they have not been the revolutions of Christ himself, upon whose shoulders the government is laid, they speak against God, and they fall under his hand without a mediator; that is, if we deny the Spirit of Jesus Christ, the glory of all his works in the world, by which he rules kingdoms, and doth administer, and is the rod of his strength, we provoke the mediator: and he may say, I will leave you to God, I will not intercede for you, let him tear you to pieces; I will leave thee to fall into God's hands; thou deniest me my sovereignty and power committed to me; I will not intercede nor mediate for thee, thou fallest into the hands of the living God: therefore whatsoever you may judge men for, and say, This man is cunning, and politic, and subtle; take heed again, I say, how you judge of his revolutions, as the products of men's inventions.—I may be thought to press too much upon this theme; but I pray God it may stick upon your hearts and mine. The worldly-minded man knows nothing of this, but is a stranger to it; and because of this, his atheisms and murmurings at instruments, yea, repining at God himself: and no wonder, considering the Lord hath done such things amongst us as have not been known in the world these thousand years; and yet, notwithstanding, is not owned by us.—There is another necessity which you have put upon us, and we have not sought. I appeal to God, angels, and men, if I shall raise Money according to the Article in the Government which had power to call you hither, and did; and, instead of seasonably providing for the Army, you have laboured to overthrow the Government, and the Army is now upon Free Quarter; and you would never so much as let me hear a tittle from you concerning it: where is the fault? has it not been as if you had a purpose to put this extremity upon us and the nation? I hope this was not in your minds, I am not willing to judge so; but this is the state unto which we are reduced. By the designs of some in the Army, who are now in custody, it was designed to get as many of them as could, (through discontent for want of money, the Army being in a barren country, near 30 weeks behind in pay, and upon other specious pretences) to march for England out of Scotland; and, in discontent, to seize their general there, a faithful and honest man, that so another might head the Army, and all this opportunity taken from your delays: whether will this be a thing of feigned necessity? what could it signify, but that the Army are in discontent already; and, we will make them live upon stones; we will make them cast off their governors and discipline; what can be said to this? I list not to unsaddle myself, and put the fault upon others backs: whether it hath been for the good of England, whilst men have been talking of this thing or the other, and pretending liberty, and many good words, whether it has been as it should have been? I am confident you cannot think it has, the nation will not think so. And, if the worst should be made of things, I know not what the Cornish men, or the Lincolnshire men, may think, or other counties; but I believe they will all think they are not safe. A temporary suspension of caring for the greatest liberties and privileges (if it were so, which is denied) would not have been of that damage, that the not providing against Free Quarter hath run the nation upon. And if it be my liberty to walk abroad in the fields, or to take a journey, yet it is not my wisdom

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to do so when my house is on fire.—I have troubled you with a long speech, and I believe it may not have the some resentment with all that it hath with some: but because that is unknown to me, I shall leave it to God, and conclude with this; That I think myself bound as in my duty to God and the people of these nations, to their safety and good in every respect, I think it my duty to tell you, That it is not for the profit of these nations, nor for common and public good, for you to continue here any longer; and therefore I do declare unto you, That I do dissolve this Parliament."

Ordinances passed by Cromwell and his Council.] Cromwell having now got rid of his Parliament, he and his Council applied themselves closely to the making of Laws without them. The first thing they did was to pass an Ordinance for laying an Assessment of 60,000*l.* per mensem for the maintenance of the Army and Navy; and another for inforcing the Acts and Ordinances made before the meeting of the last Parliament, touching the collecting of the Excise: besides which, some other Ordinances were also framed to soften the minds of the people, and reconcile them to the Protector's government, by lightening the burdens and inconveniences in the proceedings of the Law, and other matters.

A Plot against Cromwell defeated.] Feb. About this time, a Plot was discovered, which had been laid by the royalists, and was to have been executed in different parts of the kingdom at the same time: but being unsuccessful, it proved a lucky incident to Cromwell, by serving the more effectually to strengthen his usurpation: besides, it diverted the minds of the people from reflecting so warmly on the Protector's late actions, as they otherwise might have done. Upon the first information thereof he sent for the lord mayor, aldermen, and common council of London; and, acquainting them with the conspiracy against him, required them to take care of the peace of the city, for which purpose he gave them a commission to raise forces under major-gen. Skippon. He also issued a Proclamation for prohibiting Horse-Races for 6 months, lest the great concourse of people, usually frequenting such meetings, should furnish opportunities for raising fresh troubles in the Commonwealth; another, for putting in execution the Laws and Ordinances against Jesuits and Romish Priests, and for the speedy conviction of Popish Recusants; and a third, for commanding all persons, who had been of the late king's party, or his son's, to depart out of London and Westminster, and within 20 miles thereof, (unless it were their proper place of habitation) within 6 days after the publication of the said Proclamation.—Mr. Ludlow seems to blame the king of Scots, as he calls him, for engaging his friends in this desperate undertaking, which cost the lives of many, when he might see clearly his game was playing by the usurper, through the divisions he made amongst those whose interest it was to be united in opposition to the king. Cromwell, who spared no money to get intelligence of these designs, was before hand with the royalists, and seized upon many of them, ere they had time to draw together; others, that were up in arms, were discomfited and taken, and all the prisons in England were filled with them.

Cromwell appoints a number of Major-Generals to prevent Insurrections against his Government.] April. Now followed Executions upon Executions in different places; after which came Confiscations and other severe Penalties, exacted from the whole royal party; in which Cromwell broke through all their Compositions, and even the Act of Oblivion itself, in obtaining and passing of which he had so great a hand, when it was his interest to cajole the Cavalier Party: to this end, he and his Council passed an Ordinance for levying a tenth part of their Estates to maintain those extraordinary forces, which their turbulent and seditious practices obliged him to keep up; and, in order to put this detestable project in execution, he divided England into 12 Cantons, over each of which he placed a major-general, who was to have the inspection and government of inferior commissioners in every county, with orders to seize the persons and distrain the estates of such as should be refractory, and to put in execution such further directions as they should receive from him. This new tyrannous project of placing major-generals in each county, was first set on foot in the month of October this year; but they had not their Commissions to act by till the next month; when Instructions were given to them to take security of all who had been in arms for the king, for their peaceable demeanor and obedience to the Protector, as well as to exact from them the tenths aforementioned.

A New Parliament called.] July 1656. Nothing occurs worth our notice this year till July; on the 10th of which month, Writs were sealed and sent out, by order of the Lord-Protector in Council, for calling a new Parliament. In August the Elections were made throughout the three nations.

List of Cromwell's Third Parliament.] Lest the New Parliament should be as refractory as the last, Cromwell resolved to leave no means unattempted to pack together an assembly of men devoted to his own designs. In effecting this, his Major-Generals of Counties were highly serviceable; not only in procuring, by their influence and authority, themselves and their dependents, such as governors of castles and garrisons, colonels of regiments in the army, captains of county troops, civil officers, and relations of the Lord Protector, to be chosen; but also in preventing the election of many gentlemen of the best families and fortunes. Yet finding, nevertheless, that a great number of members of the last parliament, who had been the most resolute opposers of his measures, were returned to serve in the present; and apprehensive he should not,

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therefore, be able, by a legislative sanction, to ratify and establish his government, he determined that not a man should be permitted to sit in the house, without first producing a Certificate of his being approved by the Council of State. The following is a List of the Members of this Parliament:

NAMES of the Persons returned to serve in the Parliament appointed to meet at Westminster Sept. 17, 1656.

Bedfordshire,
Sir Wm. Boteler,
John Harvey,
Richard Wagstaffe,
Samuel Bedford,
Richard Edwards.
Bedford,
Thomas Margets.
Berkshire,
William Trumbull,
John Southby,
Edmund Dunch,
Capt. John Dunch,
William Hide,
Abingdon,
Thomas Holt.
Reading,
Daniel Blagrave.
Buckinghamshire,
Bulstrode Whitlocke,
Sir Richard Piggot,
Richard Grenville,
Richard Ingoldsby,
Richard Hampden.
Buckingham,
Francis Ingoldsby.
Aylesbury,
Thomas Scott.
Chipping-Wicomb,
Tobias Bridge.
Cambridgeshire,
Sir Francis Russel,
Robert Castle,
Henry Pickering,
Robert West.
Cambridge-University,
Lord R. Cromwell.
Cambridge,
Richard Tymbes.
Isle of Ely,
John Thurloe,
William Fisher.
Cheshire,
Sir George Booth,
Thomas Marbury,
Richard Legh,
Maj. Peter Brooke.
Chester,
Edward Bradshaw.
Cornwall,
Francis Rouse,
Anthony Nichols,
Richard Carter,
Thomas Ceeley,
William Braddon,
John St. Aubyn,
Col. Anthony Rouse,
Walter Moyle.
Launceston,
Thomas Gewen.
Truro,
Walter Vincent.
Penryn,
John Fox.
East and West-Low.
John Buller.
Cumberland,
M. Gen. Ch. Howard,
William Briscoe.
Carlisle,
George Downing.
Derbyshire,
John Gelle,
Sir Samuel Sleigh,
Thomas Saunders,
German Pole.
Derby,
Gervase Bennet.
Devonshire,
Sir John Northcot,
Sir John Young,
Robert Rolle,
Arthur Upton,
Thomas Reynell,
William Morrice,
Capt. Henry Hatsel,
Edmund Fowel,
John Hele,
John Dodderidge,
Thomas Saunders.
Exeter,
Thomas Bampfield,
Thomas Westlake,
Plymouth,
John Maynard,
Timothy Alsop.
Clifton, Dartmouth, Hardness,
Edward Hopkins.
Totness,
Christopher Maynard.
Barnstable,
Sir John Copleston.
Tiverton,
Robert Shapcot.
Honyton,
Maj. Samuel Searle.
Dorsetshire,
William Sydenham,
Col. John Bingham,
Robert Coker,
Col. John Fitz-James,
James Dewey,
John Trenchard.
Dorchester,
John Whiteway.
Weymouth & Melcomb Regis,
Dennis Bond.
Lyme-Regis,
Edmund Prideaux.
Poole,
Edward Boteler.
Durham,
Thomas Lilburn,
James Clavering.
Durham,
Anthony Smith.
Essex,
Sir Tho. Honeywood,
Dionysius Wakering,
Henry Mildmay,
Carew Mildmay,
Sir Richard Everard,
Robert Barrington,
Dudley Temple,
Oliver Raymond,
Edward Turner,
Sir Thomas Bowes,
Hezekiah Haynes,
John Archer,
Sir Harb. Grimston.
Colchester,
Henry Lawrence,
John Maidstone.
Malden,
Joachim Matthews.
Gloucestershire,
George Berkeley,
John Howe,
John Crofts,
Bayn. Throckmorton,
William Neast.
Gloucester,
Maj. Gen. Disbrowe,
Thomas Pury.
Tewksbury,
Francis White.
Cirencester,
Capt. John Stone.
Herefordshire,
Maj. Gen. Berry,
Edward Harley,
Bennet Hoskins,
Benjamin Mason.
Hereford,
Col. Wroth Rogers.
Leominster,
John Birch.
Hertfordshire,
Wm. E. of Salisbury,
Sir Richard Lucy,
Sir John Wittewrong,
Sir John Gore,
Rowland Litton.
St. Albans,
Col. Alban Cox.
Hertford,
Isaac Pulter.
Huntingdonshire,
Edward Montagu,
Col. H. Cromwell, jun.
Nicholas Pedley.
Huntingdon,
John Barnard.
Kent,
John Dixwell,
William James,
Henry Oxenden,
Sir Thomas Style,
John Boys,
Lambert Godfrey,
Richard Beale,
John Selliard,
Ralph Welden,
Richard Meredith,
Daniel Shatterden.
Canterbury,
Thomas St. Nicholas,
Vincent Denn.
Rochester,
John Parker.
Maidstone,
John Bankes.
Queenborough,
Gabriel Livesay.
Lancashire,
Sir Rd. Houghton,
Col. Gilbert Ireland,
Col. Rd. Holland,
Col. Rd. Standish.
Lancaster,
Maj. Henry Porter.
Preston,
Col. Rd. Shuttleworth,
Liverpool,
Thomas Birch.
Manchester,
Richard Radcliffe.
Leicestershire,
Col. Tho. Beaumont,
Francis Hacker,
William Quarles,
Thomas Pochen.
Leicester,
Sir Arthur Haslerigg,
William Stanley.
Lincolnshire,
Thomas Hall,
Thomas Lister,
Thomas Hatcher,
Edward Rossiter,
Charles Hall,
William Woolley,
Francis Clifton, alias Fiennes,
William Savile,
William Welby,
Charles Hussey.
Lincoln,
Origen Peart,
Humprey Walcot.
Boston,
Sir Anth. Irby.
Grantham,
William Ellis.
Stamford,
John Weaver,

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Grimsby,
William Wray,
Middlesex,
Sir John Barkstead,
Sir Wm. Roberts,
Chaloner Chute,
Col. Wm. Kiffen.
Westminster,
Col. Edw. Grosvenor,
Edward Carey.
London,
Thomas Foot,
Sir Christ. Pack,
Thomas Adams,
Richard Brown,
Theophilus Biddulph,
John Jones.
Monmouthshire,
Major-Gen. Berry,
Capt. John Nicholas,
Sir Edward Herbert.
Norfolk,
Charles Fleetwood,
Sir John Hobart,
Sir Wm. D'Oiley,
Sir Ralph Hare,
Sir Hor. Townshend,
Philip Woodhouse,
Col. Robert Wilton,
Col. Robert Wood,
John Buxton,
Thomas Sotherton.
Norwich,
Bernard Church,
John Hobart.
Lynne,
Major-Gen. Disbrowe,
Philip Skippon.
Great Yarmouth,
Charles Geo. Cocke,
Major Wm. Burton.
Northamptonshire,
Sir Gilbert Pickering,
John Lord Cleypole,
William Boteler,
James Langham,
Thomas Crew,
Alexander Blake.
Peterborough,
Francis St. John.
Northampton,
Francis Hervey.
Northumberland,
William Fenwick,
Sir Tho. Widdrington,
Robert Fenwick.
Newcastle upon-Tyne,
Walter Strickland.
Berwick,
Col. George Fenwick,
Nottinghamshire,
Edward Whalley,
Edward Cludd,
Edward Nevil,
Peniston Whalley.
Nottingham,
Col. James Chadwick,
William Drury.
Oxfordshire,
Lord Dep. Fleetwood,
William Lenthall,
Robert Jenkinson,
Miles Fleetwood,
Sir Francis Norris.
Oxford University,
Rt. H. Nath. Fiennes.
Oxford,
Richard Croke.
Woodstock,
Maj. Gen. W. Packer.
Rutlandshire,
William Shields,
Abel Barker.
Shropshire,
Thomas Mackworth,
Philip Young,
Col. Samuel More,
Col. Andrew Lloyd.
Shrewsbury,
Col. H. Mackworth,
Samuel Jones.
Bridgnorth,
Edward Waring.
Ludlow,
John Aston.
Somersetshire,
Maj. Gen. J. Disbrowe,
John Buckland,
Alexander Popham,
Robert Long,
Col. John Gorges,
Francis Luttrell
John Ashe,
John Harrington,
Sir Lislebone Long,
William Wyndham,
Francis Rolle.
Bristol,
Robert Aldworth,
John Dodderidge.
Bath,
James Ashe.
Wells,
John Jenkyn.
Taunton,
Robert Blake,
Col. Tho. Gorges.
Bridgewater,
Sir Tho. Wroth.
Southamptonshire,
Lord Rd. Cromwell,
Maj. Gen. W. Goffe,
Robert Wallop,
Richard Norton,
Thomas Cole,
John Bulkley,
Richard Cobb,
Edward Hooper.
Winchester,
John Hildelsey.
Southampton,
John Lisle.
Portsmouth,
Thomas Smith.
Isle of Wight,
Col. Wm. Sydenham,
Capt. T. Bowerman.
Andover,
Thomas Hussey.
Staffordshire,
Sir Charles Wolseley,
Thomas Crompton,
Thomas Whitegrave.
Litchfield,
Thomas Minors.
Stafford,
Martin Noel.
Newcastle under Line,
John Bowyer.
Suffolk.
Sir Henry Felton,
Sir Tho. Barnardiston,
Henry North,
Edmund Harvey,
Edward Le Neve,
John Sicklemore,
William Bloys,
William Gibbes,
Robert Brewster,
Daniel Wall.
Ipswich,
Nathaniel Bacon,
Francis Bacon.
St. Edmunsbury,
Samuel Moody,
John Clarke.
Dunwich,
Francis Brewster.
Sudbury,
Col. John Fothergill,
Surrey,
Sir Rd. Onslow,
Arthur Onslow,
Francis Drake,
Maj. Lewis Audley,
George Duncombe,
Capt. John Blackwell.
Southwark,
Samuel Highland,
Peter De la Noy.
Guilford,
Maj. Gen. Kelsey.
Ryegate,
Sir Tho. Pryde.
Sussex,
Herbert Morley,
Sir John Pelham,
John Fagg,
John Stapley,
Anthony Shirley,
George Courthorpe,
Sir Tho. Rivers,
Sir Tho. Parker,
Samuel Gott.
Chichester,
Henry Peckham.
Lewes,
Anthony Stapley.
East-Grinstead,
John Goodwin,
Arundel,
Sir John Trevor.
Warwickshire,
Richard Lucy,
Sir Roger Burgoyne,
Edward Peyto,
Joseph Hawksworth,
Coventry,
Maj. Robert Beake,
Col. William Purefoy,
Warwick,
Clem. Throckmorton.
Westmoreland,
Christopher Lister,
Thomas Burton.
Wiltshire,
Sir A. Ashley Cooper,
Sir W. St. John,
Sir Alex. Popham,
Thomas Grove,
Alex. Thistlethwaite,
John Bulkley,
Rd. Grubham Howe.
William Ludlow,
Henry Hungerford,
Gabriel Martin.
Salisbury,
Edward Tooker,
James Heeley.
Marlborough,
Jeremy Sankey.
Devises,
Edward Scotten.
Worcestershire,
Maj. Gen. Js. Berry,
Sir Tho. Rouse,
Edward Pitt,
Nicholas Lechmere,
John Nanfan.
Worcester,
Edmund Giles,
William Collins.
Yorkshire,
Sir Wm. Strickland.
East-Riding,
Col. Hugh Bethell,
Richard Darley,
Henry Darley.
West-Riding,
Lord Lambert,
Francis Thorp,
Col. Henry Tempest,
Henry Arthington,
Capt. Edward Gill,
John Stanhope.
North-Riding,
George Lord Eure,
Maj. gen. R. Lilburne,
Luke Robinson,
Francis Lascelles.
York,
Sir Tho. Widdrington,
Sir Tho Dickenson.
Kingston on Hull,
William Lister.
Beverley,
Francis Thorpe.

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Scarbrough,
Edward Salmon.
Richmond,
John Bathurst.
Leeds,
Adam Baynes.
Halifax,
Jeremy Bentley.
CINQUE PORTS.
Dover,
Lieut. col. Kelsey.
Sandwich,
James Thurbane.
Rye.
William Hay.

WALES.
Anglesey,
Col. Geo. Twistleton,
Griffith Bodville,
Brecon,
Col. Philip Jones,
Evan Lewis.
Cardigan.
Col. James Philips,
Col. John Clarke.
Carmarthen,
Lord Cleypole,
Col. Row. Dawkins.
Carnarvon,
Henry Lawrence,
Robert Williams.
Denbigh,
Col. John Jones,
Col. John Carter.
Flint,
John Glynn,
John Trevor.
Glamorgan,
Col. Philip Jones,
Edmund Thomas.
Caerdiff,
John Price.
Merioneth,
Col. John Jones.
Montgomery,
Hugh Price,
Charles Lloyd.
Pembroke,
Col. James Philips.
Haxerford-West,
John Upton.
Radnor,
George Gwynn,
Henry Williams.
SCOTLAND.—*Shires.*
Ross, Sutherland, and Cromarty.
Dr. Tho. Clarges.
Inverness,
Tho. Fitch.
Bamff,
Dr. Alex. Douglas,
Aberdeen.
William Mitchel.
Forfar & Kinkardine,
Col. David Barclay,
Fife and Kinross,
Sir John Wemyss.
Perth,
Sir Edward Rhodes.
Linlithgow, Stirling and Clackmannan,
Godfrey Rhodes,
Dumbarton, Argyle. and Bute,
Capt John Lockhart.
Aire and Renfrew,
Wm. lord Cochran.
Lanerk,
Col. Wm. Lockhart.
Mid-Lothian,
Samuel Disbrowe.
Merce,
John Swinton.
Roxborough,
William Ker.
Selkirk and Peebles,
Henry Whalley,
Dumfries,
George Smith.
Wigton,
Sir Js. Mac Dowel.
East-Lothian,
J. earl of Tweedale.
Orkney, Zetland, and Caithness,
Col. Robert Stewart.
Elgin and Nairn,
Richard Beake.
Cities and Boroughs.
Edinburgh,
Roger Boyle,
Dornoch, Inverness &c.
Robert Woolsely.
Bamff and Aberdeen,
Stephen Winthorpe.
Forfar, Dundee, &c.
Sir Alex. Wedderburn.
Linlithgow, Perth &c.
Col. Hen. Markham.
St. Andrews, Dysart &c.
Col. Nath. Whetham.
Lanerk, Glasgow, &c.
George Talbot.
Dumfries, &c.
Col. Salmon.
Peebles, Selkirk, &c.
George Downing.
IRELAND.—*Counties.*
Meath and Lowth,
John Fowke
Major Wm. Aston.
Kildare and Wicklow,
Sir Hardress Waller,
Anth. Morgan.
Dublin,
John Bysse.
Catherlough, Wexford, &c.
Thomas Sadler,
Daniel Redman.
West-Meath, &c.
Sir Theo. Jones,
Henry Owen.
Down, Atrim, and Armagh,
Tho. Cooper,
Lieut. Col. Js. Trayle.
Derry, Donegal, and Tyrone,
Lieut. col. Beresford
Lt. col. T. Newburgh.
Cavan, Fermannagh, and Monoghan,
Richard Blaney.
Kerry, Limerick, and Clare,
Sir Hardress Waller,
Henry Ingoldsby.
Cork,
Roger Boyle
Lord Broghill,
Tipperary, and Waterford.
Sir John Reynolds
Daniel Abbot.
Sligo, Roscommon, and Leitrim.
Sir Robert King,
John Bridges.
Galway and Mayo.
Sir Cha. Coot,
Lieut. col. John Bret.
Cities and Towns.
Dublin,
Richard Tigh.
Limerick and Kilmallock,
Walter Waller.
Waterford & Clonmel,
Capt. Wm. Halsey.
Carickfergus & Bealfst,
John Davies.
Cork and Youghal,
Maj. gen. W. Jephson.
Bandon & Kingsale,
Vincent Gookyn.
Derry and Colerane,
Ralph King.

Meeting of Cromwell's third Parliament.] Sept. 17. The Lord Protector, attended by his Council, with the Officers of State and of the Army, the gentlemen of his housbold, and his guards, came to the Abbey-church, about 10 in the morning; where the members being met, a Sermon was preached before them by Dr. John Owen. After Sermon, the Lord Protector and the Parliament assembled in the Painted Chamber, where his highness was pleased to communicate to them the occasion of their meeting. We have not been able to meet with Cromwell's Speech on this occasion; nor is there the least sketch of it in the Journals, or the contemporary Writers.

Several Members denied Admittance into the House.] His Highness having finished his harangue, the members repaired to their house; where several persons, by the Lord Protector's appointment, attended at the door, to receive of each member the following Certificate, before he was permitted to enter:—'Sept. 17, '1656. County of ———, These are to cer-'tify, That A. B. is returned, by Indenture, 'one of the knights to serve in this present par-'liamen for the said county, and is approved 'by his highness's Council. Nath. Taylor, 'Clerk of the Commonwealth in Chancery.'—Such of the members as produced their passport from the Council, having taken their seats in the house, the lord commissioner Lisle put them in mind, That their first work was to chuse a Speaker; and proposed sir Tho. Widdrington, serjeant at law, as a person of great integrity and experience, in relation to parliamentary business, and every way qualified for that service: which being approved of, he took the chair accordingly.

The secluded Members prefer a Letter of Complaint to the Speaker.] Sept. 18. Sir George Booth presented a Letter, directed to the Speaker, which he was ordered to read privately first; and, afterwards, it was read openly, in these words:

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"Sir; We whose Names are subscribed, 'with others, being chosen, and accordingly 'returned, to serve with you in this parliament; and, in discharge of our trust, offering to go into the house, were, at the lobby 'door, kept back by soldiers: which, lest we 'should be wanting in our duty to you and 'to our country, we have thought it expedient to represent unto you, to be communicated to the house, that we may be admitted thereinto."

On the reading of this it was ordered, That the Clerk of the Commonwealth in Chancery be commanded to attend the house the next morning, with all the Indentures of returns of knights, citizens, and burgesses chosen to serve in this parliament, when they would take this business into farther consideration.

Sept. 19. The deputy-clerk of the Commonwealth attending at the door, he was called in; and the Speaker demanded of him, 'Where the Clerk of the Commonwealth was?' to which he answered, 'That he was at his house out of town when the warrant came; that he expected him that morning, and so did not send for him, but that he did not come.' Being asked, 'Whether he had all the Indentures with him for England and Wales?' He answered, 'Yes:' and, by command of the Speaker, produced that for the election in Norfolk, and read it; in which was returned sir Ralph Hare. Being asked, 'Why that gentleman was not returned to parliament?' He said, 'Because he had no Certificate of Approbation for him;' and gave the like Answers as to all the rest of the members, who had been refused admittance into the house. The deputy-clerk being withdrawn, the Speaker informed the house, That he had called over all the places for whom any person was chosen, whose name was subscribed to the foregoing Letter, and found them all to have been returned in the respective Indentures.—Soon after the Clerk of the Commonwealth, himself, attended the house, when the Speaker acquainted him, 'That, upon perusal of the Indentures, it appeared that divers persons elected were not returned to the house: and demanding, 'By what Order it was not done?' He answered, 'That he received an Order from his Highness's Council, to deliver Tickets to all such persons, and such only, as, being returned to serve in parliament, should be certified unto him, from the Council, as persons by them approved: and that he did receive several Orders of Approbation for several persons, and made out the Tickets accordingly.' Being asked, 'If he had the Order itself?' After some evasion he produced it, subscribed by Mr. Jessop, clerk of the council; which was read. And then the house adjourned till the next morning; when, the debate being resumed, it was resolved, 'That the Council be desired to give, on the Monday next, their Reasons why those members, returned from the several counties and boroughs, were not approved, and why they were not admitted to come into the house.' In Answer to which request, on the 22d, the lord commissioner Fiennes reported, by word of mouth, from the Council, That he was commanded by them to return this humble reply: 'That whereas, by the 21st Article of The Government, the Clerk of the Chancery was required to certify the Names of the persons returned to him, and the places for which they were chosen, unto the Council, who were authorized to peruse the said returns, and examine whether the persons so elected and returned were agreeable to the Qualifications therein prescribed, and not disabled thereby; and that no persons should be admitted to sit in parliament, but what were so approved of by the major part of the Council: and that whereas, by the 17th Article, it was declared, That the persons to be elected to serve in parliament should be such, and no other than such, as were persons of known integrity, fearing God, and of good conversation; That the Council, in pursuance of their duty, and according to the trust reposed in them, had examined the said returns; and had not refused to approve any who appeared to them to be within the description of the said Article: and as to those who were not approved, his highness had given orders to some persons to take care that they should not come into the house.' A motion being then made to adjourn till the next morning, it was carried in the negative by 115 against 80. And then it was resolved, by a majority of 125 against 29 only, 'That the persons returned from the several counties, cities, and boroughs, who have not been approved, be referred to make their application to the Council for approbation; and that the house do proceed with the great affairs of the nation.'

This last question being carried by so great a majority, sufficiently shews what influence the Protector had in this Assembly: however, the secluded Members did not rest satisfied with this arbitrary Vote; for they published a spirited Remonstrance against this outrageous act of injustice. A copy of the Remonstrance will be found in Whitlocke. The persons who subscribed it, were, Arthur Haslerig, Tho. Scott, John Bulkley, John Birch, Geo. Fenwick, Anth. Irby, Tho. Lister, Tho. Birch, Tho. Adams, Tho. Saunders, Henry Darley, John Weaver, Alex. Popham, John Goodwyn, Francis Thorpe, Anth. Ashley Cooper, John Southby, Rd. Grenville, Rd. Browne, Rd. Darley, Tho. St. Nicholas, Wm. James, John Boys, Ch. Hall, John Jones, Wm. Woolley, Rd. Radcliffe, Wm. Savile, Theophilus Biddulph, Henry Mildmay, Harbottle Grimston, Wm. Welby, Ch. Hussey, Ed. Harvey, John Sicklemore, Wm. D'Oiley, Ralph Hare, John Hobart, Oliver Raymond, Jeremy Bentley, Philip Woodhouse, John Buxton, Wm. Bloys, Wm. Gibbs, Tho. Sotherton, Tho. Bowes, Edw. Harley, Clement Throckmorton, Daniel Wall, Henry North, Rd. Lucy, John Wittewrong, Geo. Courthorpe, Samuel Got, J. Buckland,

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Robert Long, J. Northcott, J. Young, J. Dodderidge, Henry Hungerford, Salisbury, Edw. Tooker, Wm. Morris, J. Hele, Edw. Turner, Chaloner Chute, Daniel Shatterden, Tho. Styles, Rd. Beale, John Selliard, Walter Moyle, Walter Vincent, J. Gell, Hen. Arthington, Henry Tempest, J. Clavering, J. Stanhope, Peniston Whaley, Abel Barker, Samuel Moore, Tho. Minors, J. Bowyer, Sam. Jones, J. Aston, Andrew Lloyd, Edw. Hooper, Tho. Rivers, Henry Peckham, Ch. Lloyd, J. Thurbarne, Wm. Fisher, J. Gore, Rowland Litton.—Animated by this Remonstrance, and resenting the infamous behaviour of a packed majority, so many members, ashamed of their companions, left the house, that, in order to save appearances, it was resolved, on the 29th, 'That all persons who had been returned to serve in this parliament, and had been, or might be, approved by the council, should give their attendance within 7 days.' As to those who had been excluded for want of such approbation, no farther notice was taken of them: but the rest proceeded to appoint Committees on public Business: and a Bill was brought in, intitled, 'An Act for the Security of his Highness the Lord Protector's Person.' On the 26th the Bill 'for renouncing and disannulling the pretended Title of Charles Stuart,' &c. was passed. It was ordered at the same time, That the Lord Protector's assent be desired to this Bill. Lastly, a committee was appointed to consider of the way of Address to his Highness, with Bills, and report it to the house.

Oct. 2. This day Letters from the admirals Blake and Montague, to the Protector, were communicated to the house, giving intelligence of a considerable Victory over the Spanish West-India Fleet, and of the taking of several of their ships. On which news a day of Thanksgiving was appointed by the house, to bless God for his great mercies on this Occasion.

Nov. 27. Several Bills being now ready for the Lord Protector's assent, a committee was appointed to wait upon him, and desire to know the time when he would please to have them presented to him for that purpose. His highness appointed 10 that morning in the Painted-Chamber; but before the house went up thither, they thought proper to read another Bill 3 times, and pass it; which was, 'That his Highness's passing of Bills should not be any determination of this Session of Parliament.' They also ordered, 'That this Bill be the first that should be presented to his highness for his consent.' It was so done; and accordingly stands first in the Acts of this Session.*

Dec. The parliament now proceeded upon other Bills, both public and private; amongst which was carried on, in a committee of the whole house, a Bill for uniting the kingdoms of England and Scotland into one Commonwealth.

Proceedings against James Naylor the Quaker.] The beginning of this month James Naylor, styled, by the Diaries of these times, 'The Quakers Apostle,' was brought up from Bristol, and several of his female followers along with him. On the 6th, he was brought to the bar of the house; where, keeping on his hat, the serjeant, by command of the Speaker, took it off. Being asked, If his name was James Naylor; answered, He was so called: and being also asked, How long he had been called so; answered, Ever since he could remember. The particulars of his Confession being read to him, and asked if it was his, he acknowledged it all. The next day, on debate, the house voted him guilty of horrid Blasphemy; that he was a grand Impostor, and a great Seducer of the People. But after this the parliament seemed to be under some dilemma what punishment to inflict upon him, for it was debated several days, without coming to a conclusion; till, on the 16th the question being put, That the Punishment of James Naylor, for his crimes, shall be by death, and that a bill be brought in for that purpose, it passed in the negative, by 96 against 82. Then a motion being made, That part of his punishment be to have his hair cut off, it passed in the negative, without division. After which the house came to the following Resolution: "That James Naylor be set on the pillory, with his head in the pillory, in the New-Palace, Westminster, during the space of two hours, on Thursday next; and shall be whipped by the hangman through the streets, from Westminster to the Old-Exchange, London; and there likewise be set upon the pillory, with his head in the pillory, for the space of two hours, between the hours of 11 and 1, on Saturday next; in each of the said places wearing a Paper containing an inscription of his crimes: and that at the Old Exchange his tongue shall be bored through with a hot iron; and that he be there also stigmatized in the forehead with the letter *B*. That he be afterwards sent to Bristol, and conveyed into and through the said city, on a horse bare ridged, with his face backward; and there also publicly whipped the next market-day after he comes thither: that from thence he be committed to prison in Bridewell, London, and there restrained from the society of all people, and kept to hard labour, till he shall be released by parliament; and during that time be debarred from the use of pen, ink, and paper, and shall have no relief, but what he earns by his daily labour."*—The next

* See Scobell's Collections, p. 871.

* Upon this occasion there was published, by Authority of the Parliament, the following Paper, intitled, 'A brief Account of James 'Naylor, the Quaker; and the uttering of 'many horrible Blasphemies, the like, for all 'Circumstances, never heard of in any Age 'before, with the Judgment pronounced upon 'him by Mr. Speaker, he being brought to the 'Bar in the Commons House, for those high 'Crimes whereof he had been guilty, Dec. 17, '1656.' At the top of this Sheet is a Print

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day James Naylor being brought up to receive his Sentence, a motion was made, that he might be asked, Whether he had any thing to offer why judgment should not be passed upon him? it passed in the negative, by 107 against 85.

A Thanksgiving Day for the Discovery of Syndercombe's Plot.] Jan. 19. Secretary Thurloe made a Relation of a wicked Design to take away the Lord Protector's Life, and fire Whitehall; and read the Examination of divers persons concerned in the said Plot, taken before the Council: for the happy and timely discovery hereof the parliament ordered a Day of Thanksgiving. A Declaration, by way of Narrative of this dangerous Conspiracy, was ordered to be drawn up and published; wherein the ministers were enjoined, on all occasions for the future, to pray 'for the Lord Protector, and all that are in Authority in this Common-wealth.' The parliament also voted their Thanks to Secretary Thurloe, for his great diligence in tracing out this Plot*; and resolved to congratulate the Lord Protector upon his happy escape; which was done by the whole house, with the Speaker at their head.

The Parliament dine with the Lord Protector.] Feb 18. The Speaker acquainted the house, That the Lord Protector had invited all the Members to dine with him, at the Banquetting-House in Whitehall, the next day, being the public Thanksgiving. The parliament accepted the invitation; when, as our Authority expresses it,† "The Lord Protector gave them a most Princely Entertainment, attended with rare music, both of instruments and voices."

Alderman Pack proposes to make Cromwell King.] Feb. 23. Aldermen Pack, one of the members for London, after taking notice to the house of the unsettled state of the nation

engraved by Hollar, representing the manner of Naylor's sentence being put in execution. Then follows the Account itself, in hæc verba: "James Naylor, the Quaker, having been released out of Exeter goal, he began immediately to play his pranks at divers places in the West; among the rest, he passed by Wells and Glastonbury, through which towns he rode on horseback, a man going bare before him, and others walking on foot on each side of his stirrup, and others strewing their garments in the way; from thence he took his way towards Bristol, and coming to a little village called Bedminster, about a mile from Bristol, he rode through that place likewise, a young man bare-headed leading his horse by the bridle, and another man before with his hat on. There accompanied him two men, with each a woman behind him on horseback; which women alighted when they came to the suburbs of Bristol, and footed it along on each side of Naylor's horse, the man still bare-headed leading the horse; and as they advanced along they sung, and entered Bristol singing, 'Holy, Holy, Holy, Lord God of Israel;' and then the women led the horse with the reins in their hands, up to the high-cross of Bristol, and from thence to the White-Hart inn in Broad street. The magistrates sending for Naylor and his companions they came singing all the way 'Hosannah;' and 'Holy, Holy, Holy, &c.' His name that went bare before him was Timothy Wedlock, a Devonshire man. The one woman was named Martha Symonds, wife of Thomas Symonds, stationer of London; the other Hannah Stranger, wife of John Stranger, of London, combmaker. The magistrates having convened Naylor and the rest, divers strange blasphemous Letters and Papers were found about them, wherein it appeared, that this deceiver had so far gained upon his followers by his impostures, that they ascribed to him divine honours, and gave him in Scripture phrase the same titles which are applicable to none but Christ himself. In a Letter of one Richard Fairman, from Dorchester goal, to Naylor, were these horrid expressions, 'I am filled 'with joy and rejoicing when I behold thee in 'the eternal unity. O my soul is melting with-'in me, when I behold thy beauty and inno-'cency, dear and precious son of Zion, whose 'mother is a virgin, and whose birth is immor-'tal.' Another writes of him thus, 'All the 'wise men shall seek for him, and when they 'have found him, they shall open their ears, 'and shall give unto him of their gold, frank-'incense, and myrrh.' The same woman, in another letter to him, proceeds thus, 'O thou 'fairest of ten thousand; thou only begotten 'son of God, how my heart panteth after thee, 'O stay me with flagons, and comfort me with 'wine. My well-beloved, thou art like a roe, 'or young hart, upon the mountains of spices.' Then by way of Postscript, her husband, John Stranger, adds this, 'Thy name is no more to 'be called James but Jesus.' Also a maid named Dorcas Erbury, being examined, declared James Naylor, to be the Holy one of Israel, the only begotten son of God; and that she pulled off his stockings, and put her cloaths under his feet, because he was the Holy Lord of Israel, and that she knew no other Saviour but him; affirming moreover, That the Spirit of the Lord within her commanded her to call him lord and master, and to serve him: That, in Exeter goal, he had raised her from the dead after she had been dead two days; and that James Naylor shall sit at the right hand of the Father, and judge the world. Thus you see how this wretched Impostor hath prevailed upon his followers, to bewitch them to the committing of strange absurdities. An account whereof I had hitherto forborn, but have now given it in brief, that the honour and justice of the Parliaments Sentence passed upon him, may be evident to the people."

* It was called Syndercombe's Plot, which is taken notice of by most of our historians. This man was found dead in his bed the morning before his intended execution.

† The Public Intelligencer, No 71.

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at this time, and the discomposure of men's minds, with the ill aspect these had upon foreign princes, trade and commerce, moved, that the Lord Protector might be desired to assume the Title of King, as the best known and most agreeable kind of government to the English people: he then presented to the Speaker a Paper, declaring it to be somewhat come to his hand, tending to the Settlement of the nation, and of liberty and property, which he desired might be received and read.* This motion occasioned a great debate; but, at length, it was resolved in the affirmative, by a majority of 144 against 54, and the Paper was read accordingly, intituled, 'The humble Address and Remonstrance of the Knights, Citizens, and Burgesses now assembled in the Parliament of this Commonwealth.† The next day, the debate was resumed; when it was resolved, on a division of 100 against 44, that the said Remonstrance be read in parts, beginning at the first Article after the preamble. It was also ordered, 'That all the members should constantly attend the service of the house, and not depart without leave: and the 25th was appointed to be set apart to seek the Lord for his direction in this important business.'

The Speaker presents to the Lord Protector the Parliament's Reasons for desiring him to assume the Title of King.] March 26. The Address and Remonstrance engaged the attention of the parliament almost every day this month. This day, they resolved to give it a new and more moderate name, by styling it only 'The humble Petition and Advice,' &c. The next day, It was ordered that the Speaker, attended by all the members, should present it to the Lord Protector; and, at the same time, shew the Grounds and Reasons inducing them to offer it. Then a committee was appointed to acquaint him, That the house having occasion to wait upon him, on some important affairs, they desired he would name a time and place for that purpose. The 31st being appointed accordingly, at the Banquetting-House, Whitehall, the Speaker and the whole house went up thither with their Petition; where the Lord Protector, attended by the president of the council, and other officers of state, were assembled. After a learned Speech made to his highness by Mr. Speaker, he presented, in the name of the parliament, the said humble Petition and Advice: which was read by Henry Scobell, esq. the clerk: and that being done, his highness gave Answer thereto to this effect * * * *. Thus far the Journals: but they leave us at a loss as to the result of this meeting. The hiatus, however, is, in some measure supplied by one of the Diaries of these times,* which informs us, "That the Speaker took this occasion to commend the title and office of a King, in this nation, for several reasons; as that a king first settled Christianity in this Island: that the title had been long received and approved by our ancestors, who, by experience, found it to be consistent with their liberties: that it was a title best known to our laws, most agreeable to our constitution, and to the temper of the English people: and that these things he made evident, at large, by divers grave and weighty arguments. Afterwards he proceeded to open the sense of the parliament upon the several other particulars contained in that writing, which they came to present to his highness, in order to the Settlement of the three nations."

Cromwell desires time to seek God for Counsel thereupon.] In return to this the Lord Protector, after an engrossed copy of the Petition had been presented to him, was pleased to deliver himself in a Speech, expressing very much of piety, gravity, and good affection to the parliament and people of these nations. He observed, that the welfare, peace, and settlement of three nations, and all the rich treasure of the best people of the world being involved therein, it ought to beget in him the greatest reverence and fear of God, that ever possessed any man upon earth; with several other expressions intimating his fear and reverence before the Almighty, upon this so great and solemn an occasion. That among all the burdens which God had laid upon him, he, to his comfort, had found the good hand of God assisting him, when he knew not which way to stand under their weight, but by looking up to his good pleasure contained therein. That, before he came to any resolution, his intent was, first, to seek God, who had been his guide hitherto, to have an Answer put into his heart. That if he should enter upon such a work as this without due consideration, to please humours that are of this world; without seeking such an Answer from God as might prove a blessing to the person used, and make up the noble, worthy, and honest intentions of those that had prepared and effected the work, it would seem to proceed from lust and arguments of self; and that, should his motives be such, the issue might prove sad to them and the three nations, who, he believed, intended well in this business; and had none but honest

* This alderman Pack was lord mayor of London, in 1655, and was then knighted by Cromwell. He is charged, by Historians, with embezzling the Charity-Money collected for the relief of the poor Protestants in Piedmont; and also with being several thousand pounds in arrear to the Excise, in which office he was a commissioner. It is added, That all these sins were forgiven him by Cromwell, in consideration of his undertaking to make this bold Proposal to the House. Heath's Chronicle, p. 386.

† Mr. Whitlocke informs us, That this Address was intended to have been offered to the house by himself; and that he declined it, as not liking several things contained therein; but sir Christ. Pack, to gain honour, presented it first to the house. Memorials, p. 647.

* Mercurius Politicus, No. 356.

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and sincere ends therein, as the glory of God, the good of the people, and the rights of these nations. That therefore, since they had made such a progress in the work, he desired some short time to ask counsel of God and his own heart: and he hoped that neither the humours of any weak or unwise people, nor the desires of any who might have a lusting after things that were not good, should steer him to any other Answer but what might be ingenuous, and for the good of those that he and they served, and were made to serve. And concluded, That as the thing well deserved the utmost deliberation, so he should think himself bound to give as speedy an Answer as he could."—These, says our Journalist, are only some short heads of what was much more copiously and elegantly spoken, by his highness, to the parliament, with that majesty and authority, which appeared most eminent in all his public actions; in the repetition whereof he had only to crave pardon, lest he had been injurous to the dignity of so wise and so serene a person.

April 3. The Lord Protector sent a Letter to the Speaker, desiring the house to appoint a committee to attend him that day at Whitehall; which being done accordingly, on the next, the lord-commissioner Whitlocke reported from them, That they had waited on his Highness, according to the order of the house, and that he expressed himself to the committee to this effect:

"My lords; I am heartily sorry I did not make my desires known to the parliament before this time, which was, That I acquainted you with by letter this day. The reason was, because some infirmity of body had seized upon me these two last days. I have, as well as I could, taken consideration of the things contained in this Paper, which was presented to me by the parliament, and have sought God that I might return such an Answer as might become me, and be worthy of the parliament. I must needs bear this testimony to you, that you have been zealous of the two greatest concernments that God hath in the world; the one is that of Religion, and preservation of the professors of it; to give them all due and just liberty, and to assert the truths of God, which you have done in part in this Paper, and do refer them to be done more fully by yourselves and me. And as to the liberty of men professing godliness under the variety of forms amongst us, you have done that which was never done before; and I pray God it may not fall upon the people of God, as a fault in them, or any sort of them, if they do not put such a value on what was done, as was never put on any thing since Christ's time, for such a Catholic interest of the people of God. The other thing cared for is the Civil Liberty and the interest of the nation; which though it is, and I think ought to be, subordinate to a more peculiar interest of God, yet it is the next best that God hath given men in the world; and, if well, is better than any words to fence men in their other interests: and if any one whatsoever think the interest of the nation and the interest of the people of God inconsistent, I wish my soul may not enter into his and their secrets. These are things I must acknowledge Christian and honourable, and are provided for by you like Christian men, and men of honour, and, like yourselves, Englishmen: and to this I must and shall bear my testimony whilst I live, against all gainsayers whatsoever. And upon these two interests, if God shall count me worthy, I shall live and die; and I must say, if I were to give an account before a greater tribunal than an earthly one, and if I were asked why I have engaged all along in the late wars, I could give none; but it would be a wicked one if it did not comprehend these two ends. Only give me leave to say, and to say it seriously, the issue will prove it so, that you have one or two considerations that do stick with me; the one is, you have named me by another Title than I now bear. You do necessitate my Answer to be categorical, and you have made me without a liberty of choice; save, as to all, I question not your wisdom in doing of it, but I think myself obliged to acquiesce in your determination, knowing you are men of wisdom, and considering the trust you are under. It is a duty not to question reasons of any thing you have done. I should be very brutish should I not acknowledge the exceeding high honour and respect you have had for me in this Paper. Truly, according to what the world calls good, and hath all good in it, according to the world's comprehension, sovereign power, you have testified your value and affection, as to my person, as high as you could, more you could not do; I hope I shall always keep a grateful memory of this in my heart, and by you I will give the parliament this my grateful acknowledgement. Whatever other men's thoughts may be, I shall not know ingratitude: but I must needs say, That what may be fit for you to do, may not be fit for me to undertake. As I should reckon it a very great presumption, should I ask of you the reason of doing any one thing in this Paper, except some very few things, the Instrument bears witness to itself: so you will not take it unkindly, if I ask of you this addition of the parliament's favour, love, and indulgence to me, if it be taken in tender part, if I give such an Answer as I find in my heart to give in this business, without urging many reasons for it, saving such as are most obvious and most for my advantage in answering; to wit, I am unable for such a trust and charge; and if the answer of the tongue, as well as the preparation of the heart be from God, I must say my heart and thoughts, ever since I heard the parliament's, were upon this business. Though I could not take notice of your proceedings therein, without breach of your privileges, yet as a common person, I confess I heard of it as in common with others. I must say, I have been able to attain no further than this, that seeing the way is hedged

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up, as it is to me, I cannot accept of the things offered, unless I accept all. I have not been able to find it in my duty to God and you, to undertake this charge under that Title. The most I said in commendation of the Instrument, may be returned upon me thus: are there such good things so well provided for, why can you not accept? Because of such an ingredient. Nothing must make a man's conscience his servant; and really and sincerely it is my conscience that guides me to this Answer; and, if the parliament be so resolved, it will not be fit for me to use any inducements by you to alter their resolutions. This is all I have to say; I hope it will, and desire it may, be candidly, and with integrity and ingenuity, represented by you to them."

April 4. The house resumed the debate on this matter; and a question being proposed, That this house doth adhere to their humble Petition and Advice, presented to his Highness, it was resolved in the affirmative, by a majority of 78 against 65.

The House appoint a Committee to wait on Cromwell for his Answer: but he desires further Time.] April 7. The debate was renewed; when we find that the house still adhered to their last Vote, and appointed another, and a more numerous, Committee to attend the Lord Protector with the following Resolution: "That the parliament having lately presented their humble Petition and Advice to his Highness, whereunto they had not as yet received satisfaction; and the matters contained in that Petition and Advice being agreed upon by the Great Council and Representative of the three nations; and which, in their judgments, were most conducing to the good of the people thereof, both in their spiritual and civil concernments; they therefore thought fit to adhere thereto, and to put his Highness in mind of the great obligation which rested upon him, in respect of that Advice; and again to desire him to give his assent thereunto."

April 8. The parliament, in a body, attended the Lord Protector at Whitehall, when the Speaker presented to him the foregoing Resolution. To which his Highness replied:

"Mr. Speaker; No man can put a greater value than I hope I do, and shall do, upon the desires and advices of the parliament. I could in my own heart aggravate both concerning the persons advising, and concerning the advice; readily acknowledging, that it is the advice of the parliament of these three nations: and if a man could suppose it were not a parliament to some, yet doubtless it should be to me, and to us all that are engaged in this common cause, wherein we have engaged. I say, surely it ought to be a parliament to us, because it arises as a result of those issues and determinations of Settlement that we have laboured to arrive at; and therefore I do most readily acknowledge the authority of advising these things. I can aggravate also to myself the general notion of the things advised to, as being things that tend to the Settlement of the chiefest things that can fall into the hearts of men to desire, or endeavour after; and at such a time when, truly, I may think the nation is big with expectation of any thing that may add to their being: I therefore must needs put a very high esteem, and have a very reverend opinion of any thing that comes from you, and so I have had of this Instrument; and I hope so I have expressed: and what I have expressed hath been, if I flatter not myself, from a very honest heart toward the parliament and the public. I say not these things to compliment you; for we are all past those things, all considerations of that kind. We must all be very real now, if ever we will be so; for, howbeit, your title and name you give to this Paper makes me to think you intended advice, and I should transgress against all reason, should I make any other construction than that you did intend Advice. I would not lay a burden on my beast, but I would consider his strength to bear it; and if you will lay a burden upon a man that is conscious of his own infirmity and disabilities, and doth make some measure of counsels that may seem to come from heaven, counsels in the word of God, who leaves room for charity, and for men to consider their own strength, I hope it will be no evil in me to measure your advice and my own infirmities, and truly those will have some influence upon conscience; conscience in him that receives talents to know how he may answer the trust of them; and such a conscience have I had, and still have; and therefore, when I thought I had an opportunity to make an Answer, I made that Answer; and am a person, and have been before, and then, and since, lifting my heart to God, to know what might be my duty at such a time as this, and upon such an occasion and trial as this was to me.—Truly Mr. Speaker, it hath been heretofore, I think, a matter of philosophical discourse, that great places, great authority are a great burden. I know it is so; and I know a man, that is convinced in his conscience, nothing less will enable him to the discharge of it than assistance from above; that it may very well require in such a subject, so convinced, and so persuaded, to be right with the Lord in such an undertaking; and therefore, to speak very clearly and plainly to you, I had, and I have, my hesitations to that individual thing; if I undertake any thing not in faith, I shall serve you in my own unbelief, and I shall then be the most unprofitable servant that ever people of nation had. Give me leave therefore to ask counsel: I am ready to render a reason of my apprehensions, which haply may be over-swayed by better apprehensions. I think so far I have deserved no blame, nor do I take it that you will lay any upon me, only you mind me of the duty that is incumbent upon me. Truly, the same Answer, I have as to the point of duty one way, the same consideration have I as to duty another way. I would not urge to you the point of liberty; surely you have provided for liberty; I have borne my witness

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to it, civil and spiritual. The greatest provision that ever was made, have you made; and I know that you do not intend to exclude me. The liberty I ask is to vent my own doubts, and my own fears, and my scruples; though haply, in such cases as these are, the world hath judged that a man's conscience ought to know no scruple; surely mine doth, and I dare not dissemble; and therefore, they that are knowing in the ground of their own action, will be best able to measure advice to others. There are many things in this government, besides that one of the name and title, that deserve much information as to my judgment; it is you that can capacitate me to receive satisfaction in them, otherwise, I say truly, I must say that I am not persuaded to the performance of my trust and duty, nor informed, and so not acted, as I know you intend I should, and every man in the nation should; and you have provided for them as a freeman, as a man that does possibly, rationally, and conscientiously; and therefore I cannot tell what other return to make to you than this; I am ready to give a reason, if you will, I say, capacitate me to give it, and yourselves to receive it, and to do in other things that may inform me a little more particularly than this Vote that you have expressed yesterday, and has now been read by you to me. Truly, I hope, when I understand the ground of these things, the whole being neither for your good nor mine, but for the good of the nation, there will be no doubt but we may, even in these particulars, find out those things that may answer our duty, mine and all our duties, to those whom we serve: and this is that that I do, with a great deal of affection, and honour, and respect, offer now to you."

A Committee appointed to receive the Lord Protector's Scruples.] Apr. 9. The Speaker having reported the transactions of the foregoing day, it was resolved, "That a Committee be appointed to wait on the Lord Protector, and to receive from his highness his Doubts and Scruples touching any of the particulars contained in the humble Petition and Advice: and, in Answer thereunto, to offer to his Highness Reasons for his satisfaction, and for the maintenance of the Resolutions of the house; and such particulars as they could not satisfy his Highness in, to report to the parliament."—In pursuance of this Order, the Committee waited on the Lord Protector, but were put off, from day to day, on account of an indisposition of health and by reason of a new Plot just then discovered against him*; so that it was not till the 16th that they were admitted to an audience. The principal Speakers on this occasion were the two chief justices, Glynne and St. John, Mr. Whitlocke, Mr. Lisle and Mr. Nath. Fiennes, Commissioners of the Great Seal, lord Broghill, Mr. Lenthall, master of the rolls, sir Ch. Wolseley, sir R. Onslow, and col. Philip Jones.—The Arguments offered by this committee, with the Protector's Answers, were printed at this time; they were also reprinted in April, 1660, upon the then approaching restitution of monarchy; though extremely curious, they are, however, too extensive for our purpose.

The Lord Protector desires yet further Time to consider of an Answer.] April 17. The lord commissioner Whitlocke reported to the house, that yesterday afternoon was spent by the Committee, in giving Reasons to his Highness for his Satisfaction; which his Highness declared to be so weighty as to require mature deliberation; that therefore he could not then come to a final resolution as to the acceptance or non-acceptance of the Title proposed to him.—In consequence of this report, the house adjourned for 3 days, to give time for the committee to wait upon the Protector again: but his Highness happening to be sick the very day they waited upon him, it was not till the 20th that they were admitted to an audience, which was then put off to the next day; when,

* This was an intended insurrection of the Fifth Monarchy-Men; headed by major-general Harrison, col. Rich, maj. Danvers, and vice-admiral Lawson, who were taken into custody of the serjeant at arms; and for the discovery of this plot, secretary Thurloe received the parliament's thanks. This new Sect of Enthusiasts called themselves 'The Remnant who had waited for the blessed Appear-

'ance and Hope.' The device of their standard, which was brought into the house by the Secretary, was a Lion Couchant, gules, in a field argent; with this motto, 'Who shall rouse 'him up?' One of the persons that had been apprehended on this occasion, being asked by the Speaker, What was meant by this Lion? answered, "The Lion of the Tribe of Judah." This Standard they stiled 'The Banner that 'God had given to his poor scattered People.' They invited all of their opinion to gather together into one, and to be united in the work; intending, with sword in hand, according to their light and apprehension of things, (as they declared in print) to give their judgment, in respect of power, laws, government, exercise of magistracy, administration of justice, rights and privileges. And how they intended to do this, they set forth in these several Particulars, viz. 1. By executing vengeance upon the Beast and the false Prophet, the kings of the earth and their armies, and all the inhabitants and powers of Babylon; which name they fastened upon all powers beside their own. 2. By placing the Supreme Legislative Power in Christ. 3. By erecting a Sanhedrim, (as they called it) or a Supreme Council of men, to be chosen by themselves, to be the representative of the whole body of the Saints, on the behalf of Christ, whose day they said, was now come; and therefore that they were to act as princes under Christ, and to govern according to their light. Commons Journals. Public Intelligencer, No. 79. Mercurius Politicus, No. 403.

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as the Journals inform us, he spoke something to them as to what had been before offered, and gave them a Paper containing several Scruples as to the matter of their Petition and Advice.—This paper it is not in our power to supply. The principal objection was the title of King; against which Cromwell urged, 'That all the good purposes of government might be as fully answered under that of Protector.'

The Committee wait upon the Protector again, for a Definitive Answer.] April 23. The lord-commissioner Whitlocke made a report of the said Conference, and the house voted their approbation of the proceedings of the committee therein.—The rest of this month was almost wholly spent by the parliament, in canvassing their humble Petition and Advice, without hearing any further from the Lord Protector on that subject: insomuch that, on the 30th, the Committee was ordered to wait upon him with their several Resolutions touching that matter, and to desire his Highness to appoint a time when the house might attend on him for his positive Answer. In consequence hereof, the 1st of May was appointed for that purpose, and afterwards the 6th; then the 7th, at 11 in the morning, which was again deferred to 5 that afternoon; when the Committee having attended the Lord Protector once more, he only excused himself for making them stay so long, and desired them to give him another meeting the next morning.

A Petition from several Officers of the Army, against Cromwell's being made King.] May 8. The lord-commissioner Whitlocke reported, That his Highness desired the parliament to meet him, presently, in the Banquetting-House at Whitehall.—But, before they could come to any resolution thereupon, an affair happened which put an end to all Cromwell's farther evasions, and determined him to give a definitive Answer: for the Journals acquaint us, That the house being informed divers Officers of the Army were at the door with a petition, they were called in. But no mention being made, in those authorities, of the contents of this Paper, we shall supply the deficiency from Mr. Ludlow, who writes, "That some Officers of the Army, disgusted at the proceedings of the parliament, came to the door of the house; and sent in a message to gen. Desborough, signifying, That they had a Petition, which they desired him to present to the Speaker: but he knowing the contents of it, and conceiving it unfit for him to take public notice of it before it was presented, only acquainted the house, That certain Officers of the Army had a petition to present to them: and every one supposing that the sentiments of these Officers were conformable to their own, Cromwell's party concluding that none of the Army durst appear for the crossing his design, it was generally agreed that they should be called in, and have leave to present their Petition with their own hands. Lieut. col. Mason was chosen by the rest of the officers, to deliver it; which when he had done, and the officers were withdrawn, the same was read to this effect: 'That 'they had hazarded their lives against monar-'chy, and were still ready so to do, in defence 'of the liberties of their country: that having 'observed, in some men, great endeavours to 'bring the nation again under their old servi-'tude, by pressing their general to take upon 'him the title and government of a King, in 'order to destroy him, and weaken the hands 'of those who were faithful to the public; they 'therefore humbly desired the house to dis-'countenance all such persons and endeavours, 'and continue stedfast to the old cause, for the 'preservation of which they, for their parts, 'were most ready to lay down their lives.' This Petition was subscribed by 2 colonels, 7 lieut. colonels, 8 majors, and 16 captains, who, with such officers in the house as were of the same opinion, made up the majority of those which was then quartered about the town. It was difficult to determine whether the house or Cromwell were most surprised at this unexpected Address; but, certainly, both were infinitely disturbed at it. As soon as the notice of it was brought to him, he sent for lieut. gen. Fleetwood, and told him, That he wondered he would suffer such a Petition to proceed so far, which might easily have been prevented, since he knew it to be his resolution not to accept the crown without the consent of the Army; and therefore desired him to hasten to the house, and put them off from doing any thing further therein. The lieut. general immediately went thither, and told them, That the Petition ought not to be debated, much less to be answered at this time, the contents of it being to desire them not to press the Protector to be king, whereas the present business was to receive his Answer to what had been formerly offered to him; and therefore he insisted that the debate of it might be put off, for the present."

Cromwell refuses the Title of King.] The Petitioners being withdrawn, the house, without coming to any Resolution as to the matter of the Petition, went to meet the Lord Protector at the Banqueting-House, according to his appointment; where he delivered his sentiments to them in these words:

Mr. Speaker; I come hither to answer that which was in your last Paper to the committee you sent to me, which was in relation to the Desires which were offered to me by the house, in what they called their Petition. I confess, that business hath put the house, the parliament, to a great deal of trouble, and spent much time. I am very sorry for that. It hath cost me some and some thoughts, and because I have been the unhappy occasion of the expence of so much time, I shall spend little of it now. I have, the best I can, revolved the whole business in my thoughts, and I have said so much already in testimony to the whole, that I think I shall not need to repeat any thing that I have said. I think it is a government that, in the aims of it, seeks the settling the nation on a good foot, in relation to civil rights and liberties, which are the rights of the

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nation: and I hope I shall never be found to be one of them that shall go about to rob the nation of those rights, but to serve them what I can to the attaining of them. It is also exceedingly well provided there, for the safety and security of honest men, in that great, natural, and religious liberty, which is liberty of conscience. These are the great fundamentals; and I must bear my testimony to them, as I have and shall do still, so long as God lets me live in this world, that the intentions and the things are very honourable and honest, and the product worthy of a parliament: I have only had the unhappiness, both in my conferences with your committees, and in the best thoughts I could take to myself, not to be convinced of the necessity of that thing that hath been so often insisted on by you; to wit, the title of King, as in itself so necessary as it seems to be apprehended by you. And yet I do, with all honour and respect to the judgment of a parliament, testify that *cæteris paribus* no private judgment is to lie in the balance with the judgment of parliament; but, in things that respect particular persons, every man that is to give an account to God of his actions, must, in some measure, be able to prove his own work, and to have an approbation, in his own conscience, of that that he is to do, or to forbear: and whilst you are granting others their liberties, surely you will not deny me this; it being not only a liberty, but a duty (and such a duty as I cannot, without sinning, forbear) to examine my own heart, and thoughts, and judgment, in every work which I am to set my hand to, or to appear in, or for. I must confess therefore, that though I do acknowledge all the other, yet I must be a little confident in this, That what with the circumstances that accompany human actions, whether they be circumstances of times or persons; whether circumstances that relate to the whole, or private, or particular circumstances, that compass any person that is to render an account of his own actions; I have truly thought and do still think, that if I should, at the best, do any thing on this account to answer your expectation, at the best, I should do it doubtingly; and, certainly, what is so, is not of faith: and whatsoever is not so, whatsoever is not of faith, is sin to him that doth it, whether it be with relation to the substance of the action, about which that consideration is conversant, or whether to circumstances about it, which make all indifferent actions good or evil: I say circumstances; and truly I mean good or evil to him that doth it.—I lying under this consideration, think it my duty, only I could have wished I had done it sooner, for the sake of the house, who hath laid so infinite obligations on me; I wish I had done it sooner, for your sake, and saving time and trouble; and indeed for the Committee's sake, to whom I must acknowledge publicly I have been unreasonably troublesome: I say I could have wished I had given it sooner: but truly, this is my Answer, That (although I think the Government doth consist of very excellent parts, in all but in that one thing the Title, as to me) I should not be an honest man, if I should not tell you, that I cannot accept of the government nor undertake the trouble and charge of it, which I have a little more experimented than every body, what troubles and difficulties do befal men under such trusts, and in such undertakings: I say I am persuaded to return this Answer to you, That I cannot undertake the government with the title of *King*: and that is my Answer to this great and weighty business."

Notwithstanding Cromwell's refusing the title of King, with such seeming earnestness, it appears, upon the evidence of Mr. Whitlocke and Secretary Thurloe, "That the Protector was not only fully satisfied in his own private judgment, that it was fit for him to accept of the parliament's proposal, but also declared to several members his resolution to do so; and that matters were prepared in order thereto." Mr. Welwood adds, That a crown was actually made ready; and it appears by several original Letters since published, that not only the Protector's own family, but even the sagacious Thurloe, was captivated with the glare of his master's expected monarchy.

The Parliament agree to style Cromwell, LORD PROTECTOR.] May 19. In canvassing and debating the foregoing Speech of the Lord Protector, the Office of Kingship, which they had put into their Humble Petition and Advice, and which he had now refused to accept, came in question: and this day, the house resolved, on a division of 77 against 45, that the words 'Lord Protector' should be inserted instead of that of 'King.'

The Parliament's Humble Petition and Advice, presented to his Highness.] This knotty point being thus smoothed, put an end to all farther debates on the Petition and Advice; and it was ordered to be engrossed as soon as possible. On the 25th, the day appointed by Cromwell to receive it, he came down to Westminster; and sending for the house to attend him in the Painted Chamber, the Speaker presented the same to his highness, acquainting him with the Alterations made therein; and then the whole was read in the following terms:

To his Highness the LORD PROTECTOR of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging: The Humble PETITION and ADVICE of the Knights, Citizens, and Burgesses now assembled in the Parliament of this Commonwealth.

"We the knights, citizens and burgesses in this present parliament assembled, taking into our most serious consideration the present state of these three nations, joined and united under your Highness's protection, cannot but, in the first place, with all thankfulness acknowledge the wonderful mercy of Almighty God, in delivering us from that tyranny and bondage, both in our spiritual and civil concernments,

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which the late king and his party designed to bring us under, and pursued the effecting thereof by a long and bloody war; and also that it hath pleased the same gracious God to preserve your person in many battles, to make you an instrument for preserving our peace, although environed with enemies abroad, and filled with turbulent, restless, and unquiet spirits in our own bowels; that as in the treading down the common enemy, and restoring us to peace and tranquillity, the Lord hath used you so eminently, and the worthy officers and soldiers of the Army, whose faithfulness to the common cause, we and all good men shall ever acknowledge, and put a just value upon; so also that he will use you and them in the settling and securing our liberties, as we are men and Christians, to us and our posterity after us; which are those great and glorious ends which the good people of these nations have so freely, with the hazard of their lives and estates so long and earnestly contended for: we consider likewise the continual danger which your life is in, from the bloody practices, both of the malignant and discontented party, (one whereof, through the goodness of God, you have been lately delivered from) it being a received principle amongst them, That no Order being settled in your life-time for the Succession in the Government, nothing is wanting to bring us into blood and confusion, and them to their desired ends, but the destruction of your person; and in case things should thus remain at your death, we are not able to express what calamities would, in all human probability, ensue thereupon, which we trust your Highness, as well as we, do hold yourself obliged to provide against; and not to leave a people, whose common peace and interest you are intrusted with, in such a condition as may hazard both, especially in this conjuncture, when there seems to be an opportunity of coming to a Settlement upon just and legal foundations. Upon these considerations, we have judged it a duty incumbent upon us, to present and declare these our most just and necessary Desires to your highness.

I. That your Highness will be pleased, by and under the name and style of Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the dominions and territories thereunto belonging, to hold and exercise the office of chief magistrate of these nations, and to govern according to this Petition and Advice, in all things therein contained, and in all other things according to the laws of these nations, and not otherwise: That your highness will be pleased, during your life-time, to appoint and declare the person who shall, immediately after your death, succeed you in the government of these nations.

II. That your highness will, for the future, be pleased to call Parliaments, consisting of two houses, (in such manner and way as shall be more particularly afterwards agreed and declared in this Petition and Advice) once in 3 years at farthest, or oftener as the affairs of the nation shall require, that being your Great Council, and in whose affection and advice yourself and this people will be most safe and happy.

III. That the antient and undoubted liberties and privileges of Parliament (which are the birthright and inheritance of the people, and wherein every man is interested) be preserved and maintained; and that you will not break or interrupt the same, nor suffer them to be broken or interrupted; and particularly, that those person who are legally chosen by a free election of the people to serve in parliament, may not be excluded from sitting in parliament to do their duties, but by judgment and consent of that house whereof they are members.

IV. That those who have advised, assisted, or abetted the Rebellion of Ireland, and those who do or shall profess the Popish Religion, be disabled and made incapable for ever to be elected, or to give any Vote in the election of any member to sit or serve in parliament; and that all and every person and persons who have aided, abetted, advised, or assisted in any war against the parliament, since the 1st of Jan. 1641, (unless he or they have since borne arms for the parliament or your highness, or otherwise given signal testimony of his or their good affection to the Commonwealth, and continued faithful to the same); and all such as have been actually engaged in any plot, conspiracy, or design against the person of your highness, or in any insurrection or rebellion in England or Wales since the 16th of Dec. 1653, shall be for ever disabled and made incapable to be elected, or give any Vote in the election of any member to sit or serve in parliament. That for Scotland none be capable to elect, or be elected to sit or serve in parliament, who have been in arms against the parliament of England, or against the parliament in Scotland before the 1st of April, 1648, (except such as have since borne arms in the service of the parliament of England or your highness, or given other signal testimony of their good affection) nor any that, since the said 1st of April, 1648, have been in arms, or otherwise aided, abetted, advised, or assisted in any war against the parliament of England or your highness, except such as, since the 1st of March, 1651, old style, have lived peaceably, and thereby given testimony of their good affection to the parliament and your highness.—Provided, That nothing in this Article contained, shall extend to put any incapacity upon any English or Scots Protestants in Ireland, either to elect or be elected to serve in parliament, who before the 1st of March, 1649, have borne arms for the parliament or your highness, or otherwise given signal testimony of their good affection to this Commonwealth, and continued faithful to the same; that all Votes and Elections, given or made contrary, or not according to the Qualifications aforesaid, shall be void and of none effect; and that if any person or persons, so incapable

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as aforesaid, shall give his, or their vote for election of members to serve in parliament, all and every such person and persons so electing, shall lose and forfeit one year's value of his and their respective real estates, and one full third part of his and their respective personal estates; the one moiety thereof to your highness, and the other moiety to him or them who shall sue for the same, in any court of Record, by action of debt, bill, plaint, or information, wherein no essoign, wager of law, or protection shall be allowed. And that the persons who shall be elected to serve in parliament, be such, and none other than such, as are persons of known integrity, fearing God, and of good conversation, and being of the age of 21; and not such as are disabled by the Act of the 17th year of the late king, intitled, 'An Act for disabling all persons in Holy Orders, to exercise any Temporal jurisdiction or authority, nor such as are public Ministers, or public preachers of the Gospel:' Nor such as are guilty of any of the offences mentioned in an act of parliament, bearing date the 9th Aug. 1650, intitled, 'An Act against several atheistical, blasphemous, and execrable opinions derogatory to the Honour of God, and destructive to human society.' No common scoffer, nor reviler of Religion or of any person or persons for professing thereof; no person that hath married or shall marry a wife of the Popish Religion; or hath trained or shall train up his child or children, or any other child or children under his tuition or government, in the Popish Religion, or that shall permit or suffer such child or children to be trained up in the said religion; or that hath given or shall give his consent that his son or daughter shall marry any of that religion: no person that shall deny the Scriptures to be the Word of God, or the sacraments, prayers, magistracy, and ministry to be the Ordinances of God; no common profaner of the Lord's Day, nor profane swearer or curser, no drunkard or common haunter of taverns or alehouses. And that these Qualifications may be observed, and yet the privilege of parliament maintained, we desire that it may be, by your highness's consent, ordained, That 41 Commissioners be appointed by act of parliament, who, or any 15 or more of them, shall be authorized to examine and try whether the members, to be elected for the house of commons in future parliaments, be capable to sit, according to the Qualifications mentioned in this Petition and Advice; and in case they find them not qualified accordingly, then to suspend them from sitting until the house of commons shall, upon hearing of their particular cases, admit them to sit; which commissioners are to stand so authorized, for that end, until the house of commons, in any future parliament, shall nominate the like number of other commissioners in their places; and those other commissioners, so to be nominated in any future parliament, to have the same powers and authorities. That the said commissioners shall certify, in writing, to the house of commons, on the 1st day of their meeting, the Causes and Grounds of their suspension of any persons to be elected as aforesaid: That the accusation shall be upon the oath of the informer, or some other person: That a copy of the Accusation shall be left by the party accusing, in writing under his hand, with the party accused, or, in his absence, at his house in the county, city, or town, for which he shall be chosen, if he have any such house; or if not, with the sheriff of the county, if he be chosen for a county, or with the chief magistrate of the city or borough for which he is chosen: and that the number of persons to be elected and chosen to sit and serve in parliament, for England, Scotland, and Ireland, and the distribution of the persons so chosen within the counties, cities, and boroughs of them respectively, may be according to such proportions as shall be agreed upon and declared in this present parliament.

V. That your highness will consent, That none be called to sit and vote in the other house, but such as are not disabled, but qualified according to the Qualifications mentioned in the former Article, being such as shall be nominated by your highness, and approved by this house; and that they exceed not 70 in number, nor be under the number of 40 (whereof the quorum to be 21) who shall not give any vote by proxies; and that as any of them do die, or be legally removed, no new ones be admitted to sit and vote in their rooms, but by consent of the house itself: That the other house do not proceed in any civil causes, except in writs of error, in cases adjourned from inferior courts into the parliament for difficulty, in cases of Petitions against proceedings in courts of equity, and in cases of the privileges of their own house: that they do not proceed in any criminal causes whatsoever, against any person criminally, but upon an Impeachment of the commons assembled in parliament, and by their consent: That they do not proceed in any cause, either civil or criminal, but according to the known laws of the land, and the due course and custom of parliament: That no final determinations or judgments be by any members of that house, in any cause there depending, either civil, criminal, or mixed, as commissioners or delegates, to be nominated by that house; but all such final determinations and judgments to be by the house itself, any law or usage to the contrary notwithstanding.

VI. That in all other particulars which concern the calling and holding of parliaments, your highness will be pleased, that the laws and statutes of the land be observed and kept; and that no laws be altered, suspended, abrogated, or repealed, or new laws made, but by act of parliament.

VII. And to the end there may be a constant Revenue for support of the government, and for the safety and defence of these nations by sea and land, we declare our willingness to settle forthwith a yearly Revenue of 1,800,000*l.*

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whereof 1,000,000*l.* for the Navy and Army, and 300,000*l.* for the support of the Government, and no part thereof to be raised by a land-tax; and this not to be altered without the consent of the three estates in parliament; and to grant such other temporary supplies, according as the commons assembled in parliament shall, from time to time, adjudge the necessities of these nations to require; and do pray your highness, that it be declared and enacted, That no charge be laid, nor no person be compelled to contribute to any gift, loan, benevolence, tax, tallage, aid or other like charge without common consent by act of parliament; which is a freedom the people of these nations ought, by the laws, to inherit.

VIII. That none may be added or admitted to the Privy Council of your highness or successors, but such as are of known piety, and undoubted affection to the rights of these nations, and a just Christian liberty in matters of Religion, nor without consent of the Council, to be afterwards approved by both houses; and shall not afterwards be removed, but by consent of parliament; but may, in the intervals of parliament, be suspended from the exercise of his place by your highness or your successors and the Council for just cause; and that the number of the Council shall not be above 21, whereof the quorum to be 7, and not under: as also that after your highness's death, the commander in chief under your successors, of such army or armies as shall be necessary to be kept in England, Scotland, or Ireland, as also all such field-officers at land, or generals at sea, which after that time shall be newly made and constituted by your successors, be by consent of the Council, and not otherwise: and that the standing forces of this Commonwealth shall be disposed of by the chief magistrate, by consent of both houses, sitting the parliament; and, in the intervals of parliament, by the chief magistrate, with the advice of the Council: and also that your highness and successors will be pleased to exercise your government over these nations by the advice of your council:

IX. And that the chancellor, keeper, or commissioners of the Great Seal of England, the treasurer or commissioners of the treasury there, the admiral, the chief governor of Ireland, the chancellor, keeper or commissioners of the great seal of Ireland, the chief justices of both the Benches, and the chief baron in England and Ireland, the commander in chief of the Forces in Scotland, and such officers of state there, as, by act of parliament in Scotland, are to be approved by parliament, and the Judges in Scotland hereafter to be made, shall be approved of by both houses of Parliament.

X. And whereas your highness, out of your zeal to the glory of God, and the propagation of the Gospel of our Lord Jesus Christ, hath been pleased to encourage a Godly Ministry in these nations; we earnestly desire that such as do openly revile them or their assemblies, or disturb them in the worship or service of God, to the dishonour of God, scandal of good men, or breach of the peace, may be punished according to law: and where the laws are defective, that your highness will give consent to such laws as shall be made in that behalf.

XI. That the true Protestant Christian Religion, as it is contained in the Holy Scriptures of the Old and New Testament, and no other, be held forth and asserted for the public profession of these nations: and a Confession of Faith to be agreed by your highness and the parliament, according to the rule and warrant of the Scriptures, be asserted, held forth, and recommended to the people of these nations; that none may be suffered or permitted, by opprobrious words or writing, maliciously or contemptuously to revile or reproach the Confession of Faith to be agreed upon as aforesaid. And such who profess faith in God the Father, and in Jesus Christ his eternal Son, the True God, and in the Holy Spirit, God co-equal with the Father and the Son, One God blessed for ever; and do acknowledge the Holy Scriptures of the Old and New Testament to be the revealed Will and Word of God, and shall in other things differ in doctrine, worship, or discipline, from the public profession held forth, endeavours shall be used to convince them, by sound doctrine, and the example of a good conversation: but that they may not be compelled thereto by penalties, nor restrained from their profession; but protected from all injury and molestation in the profession of the Faith, and exercise of their religion, whilst they abuse not this liberty to the civil injury of others, or the disturbance of the public peace; so that this liberty be not extended to Popery or prelacy, or to the countenancing such who publish horrible blasphemies, or practise or hold forth licentiousness or profaneness under the profession of Christ: and that those ministers or public preachers, who shall agree with the public profession aforesaid in matters of faith, although in their judgment and practice they differ in matters of worship and discipline, shall not only have protection in the way of their churches and worship respectively, but be esteemed fit and capable, (notwithstanding such difference, being otherwise duly qualified and duly approved) of any trust, promotion, or employment whatsoever in these nations, that any ministers who agree in doctrine, worship, and discipline with the public profession aforesaid are capable of; and all others who agree with the public profession in matters of faith, although they differ in matters of worship and discipline as aforesaid, shall not only have protection as aforesaid, but be esteemed fit and capable (notwithstanding such difference, being otherwise duly qualified) of any civil trust, employment, or promotion in these nations; but for such persons who agree not in matters of faith with the public profession aforesaid, they shall not be capable of receiving the public maintenance appointed for the ministry. Provided, That this clause shall not be construed to extend to enable such ministers or public

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preachers, or pastors of congregations, but that they be disabled, and they are hereby disabled to hold any civil employment, which those in orders were or are disabled to hold, by an Act, intitled, 'An Act for disabling all persons in Holy-Orders, to exercise any Temporal Jurisdiction or Authority.' And that your highness will give your consent, 'That all laws, statutes, ordinances and clauses in any law, statute, and ordinance, so far as they are contrary to the aforesaid liberty, be repealed.

XII. That all Acts and Ordinances of Parliament made for the abolishing of archbishops and bishops, and for the abolishing of deans, deans and chapters, canons, prebends, and other offices and titles of, or belonging to, any cathedral or collegiate church or chapel; and for the sale or other disposition of the lands, rents, and hereditaments unto any, or either of them, belonging; or for the sale or other disposition of the lands, rents, and hereditaments of the late king, queen, or prince; or of the lands of delinquents, fee-farm or other rents, forest-lands, or any of them; or any other lands, tenements, rents, or hereditaments, lately belonging to the Commonwealth, shall no way be impeached, but that they do remain good and firm; and that the security given by act and ordinance of parliament, for any sum or sums of monies, by any of the said lands, the Excise, or by any other public Revenue; and also the securities given by the public faith of the nation and the engagement of the public faith for satisfaction of Debts, may remain firm and good, and not be made void by any pretence whatsoever.

XIII. That all and every person and persons, who have aided, abetted, advised, or assisted in any war against the parliament, since the 1st of Jan. 1641, (unless he or they have since borne arms for the parliament, or your highness, or otherwise given signal testimony of his or their good affection to the Commonwealth, and continued faithful to the same) and all such as have been actually engaged in any plot, conspiracy, or design, against the person of your highness, or in any insurrection or rebellion, in England or Wales, since the 16th of Dec. 1653. And for Scotland, that all and every person and persons, who have been in arms against the parliament of England, or against the parliament in Scotland, before the 1st of April, 1648, (except such as have since borne arms in the service of the parliament of England, or your highness, or given other signal testimony of their good affection) and every person or persons that, since the said 1st of April, 1648, have been in arms, or otherwise aided, abetted, advised, or assisted in any war against the parliament of England, or your highness, except such persons, who having been in arms, or otherwise abetted, advised, or assisted in any war against the parliament of England, or your highness, since the 1st of April 1648) and were not in arms against the parliament of England, or against the parliament of Scotland, before the 1st of April, 1648, and have, since the 1st of March, 1651, old style, lived peaceably, and thereby given testimony of their good affection to the parliament, and your highness, be made incapable, for ever, of holding or enjoying of any office or place of public trust in these three nations, or any of them.—Provided, That nothing in this Article contained shall extend to put any Incapacity in this Article mentioned, upon any English or Scots Protestants in Ireland, who, before the 1st of March, 1649, have borne arms for the parliament or your highness, or otherwise given signal testimony of their good affection to this Commonwealth, and continued faithful to the same.

XIV. And that your highness will be pleased to consent, That nothing in this Petition and Advice contained, nor your highness's assent thereto, shall be construed to extend to the dissolving of this present parliament; but that the same shall continue and remain, until such time as your highness shall think fit to dissolve the same.

XV. And that nothing contained in this Petition and Advice, nor your highness's consent thereunto, shall be construed to extend to the repealing or making void of any act or ordinance which is not contrary hereunto, or to the matters herein contained; but that the said acts and ordinances, not contrary hereunto, shall continue and remain in force in such manner as if this present Petition and Advice had not at all been had or made, or your highness's consent thereunto given.

XVI. And that all writs issued out of the chancery, and all writs and patents of the justices of the one Bench and of the other, barons of the Exchequer, commissions of Oyer and Terminer, goal-delivery, and justices of the peace, and all other commissions, patents, and grants, made and passed under the great seal of England, Scotland, or Ireland, shall stand good and effectual in the law, notwithstanding this Petition and Advice, or your highness's assent thereunto, or any law, statute, or custom to the contrary: and that all writs, and all commissions, indictments, informations, process, actions, suits, bills or plaints, taken out, or now depending, in any court of record at Westminster, or any other court of record in England, Scotland, or Ireland, or in the town of Berwick upon Tweed; and all process, pleas, demurrers, continuances, and proceedings, in every such writs, indictments, informations, actions, suits, bills, and plaints, shall be returnable, stand good and effectual, and be prosecuted and sued forth, in such manner and form, and in the same state, condition and order, the style and teste of proceedings, after passing of these presents, being made conformable thereunto; this present Petition and Advice, or your highness's assent thereunto, or any law, custom, or usage to the contrary thereof in any wise notwithstanding: and that any variance that shall be occasioned by reason thereof, touching any of the said writs, process, or proceedings, in the name, style, teste, or otherwise,

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shall not be in any wise material as concerning any default or error to be alledged or objected thereunto.

XVII. And that your highness and your successors will be pleased to take an Oath, in such form as shall be agreed upon by your highness and this present parliament, to govern these nations according to the law.—And in case your highness shall not be satisfied to give your consent to all the matters and things in this Humble Petition and Advice, that then nothing in the same be deemed of force, to oblige the people of these nations in any the particulars therein contained. And these our Desires being granted by your highness, we shall hope, through the rich mercy and goodness of God, that it will prove some Remedy to those dangers, distractions, and distempers which these nations are now in, and be an effectual means to remove those jealousies and fears which remain in the minds of many men concerning the Government of this Commonwealth; and thereby we shall be enabled and encouraged, with all chearfulness, to the settling of such things which shall be further necessary for the good of these nations; and be most ready to join with you in promoting the work of reformation happily begun by your highness, the regulating Courts of Justice, and abridging both the delays and charges of Law Suits; and apply ourselves to such other courses and counsels as may be most like to heal our breaches and divisions, and to restore these poor nations to a union and consistency with themselves, and to lay a foundation of a further confidence between your highness and them, to the rejoicing of the hearts of our friends, and terror of our enemies."

This being done, the Speaker, in the name of the parliament, desired his Highness's consent to the whole, which was read, by the clerk, in these words, "The Lord Protector doth consent."

Cromwell's Speech at giving his Consent thereto.] After all which his Highness made the following speech:

"Mr. Speaker; I desire to offer a word or two unto you; which shall be but a word. I did well bethink myself before I came hither this day, that I came not as to a triumph, but with the most serious thoughts that ever I had in all my life, to undertake one of the greatest tasks that ever was laid upon the back of a human creature: and I make no question but you will, and so will all men, readily agree with me that, without the support of the Almighty, I shall necessarily sink under the burden of it; not only with shame and reproach to myself, but (with that that is more a thousand times, and in comparison of which, I and my family are not worthy to be mentioned) with the loss and prejudice of these three nations.—And, that being so, I must ask your help, and the help of all those that fear God, that, by their prayers, I may receive assistance from the hand of God: his presence, going along, will enable me to the discharge of so great a duty and trust as this is, and nothing else can.—Howbeit, I have some other things to desire of you, I mean of the parliament, That, seeing this is but as it were, an introduction to the carrying on of the government of these nations; and forasmuch as there are many things, which cannot be supplied, for enabling me to the carrying on of this work, without your help and assistance; I think it is my duty to ask your help in them. Not that I doubted; for I believe the same spirit that hath led you to this, will easily suggest the rest to you. The truth is, and I can say in the presence of God, that nothing would have induced me to have undertaken this unsupportable burden to flesh and blood, had it not been that I have seen, in this parliament, all along, a care of doing all those things that might truly and really answer the ends that we have been engaged for. You have satisfied me of your forwardness and readiness therein fully already. I thought it my duty, when your committee, which you were pleased to send to me, to give the Grounds and Reasons of your proceedings to help to inform my conscience and judgment; I was then bold to offer to them several considerations which were received by them, and have been presented to you: in answer to which the committee did bring me several Resolves of yours, which I have by me. I think those are not yet made so authentic and authoritative as was desired: and therefore, though I cannot doubt it, yet I thought it my duty to ask it of you, that there may be a perfecting of those things. Indeed, as I said before, I have my witness in the sight of God, that nothing would have been an argument to me (howsoever desirable great places seem to be to other men; I say nothing would have been an argument to me) to have undertaken this; but, as I said before, I saw such things determined by you, as makes clearly for the liberties of the nations, and for the liberty, and interest, and preservation of all such as fear God; of all that fear God under various forms; and, if God make not these nations thankful to you, for your care therein, it will fall as fire on their heads: and therefore I say that hath been one main encouragement. I confess there are other things that tend to reformation, to the discountenancing of vice, to the encouragement of good men and virtue, and the completing of those things, also, concerning some of which you have not yet resolved any thing; save to let me know, by your committee, that you would not be wanting in any thing for the good of these nations. Nor do I speak it, as in the least doubting it; but I do earnestly and heartily desire, to the end God may crown your work, and bless you and this Government, that, in your own time, and with what speed you judge fit, these things may be provided for."

May 27. The house after hearing the Report of this Speech ordered, That all the Votes and Resolutions, relative to their Petition and Advice, should be referred to a committee, to pe-

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ruse and methodize them; and to prepare one or more Bills thereupon.

Admiral Blake destroys the Spanish Fleet at Santa Cruz.] May 28. Mr. Secretary Thurloe acquainted the house with the good Success the Lord had been pleased to vouchsafe to the Fleet of this nation, under the command of general Blake, at the Port of Santa Cruz, on the Island of Teneriffe, on the 20th of April last; at which time the said Fleet fell in with 6 Spanish galleons, whereof were the admiral, vice-admiral, and rear-admiral, with their standards and flag aloft; and 16 other considerable Ships, some having goods brought from the Indies on board them, others who had taken in goods and provisions to carry back again, most of them furnished with brass ordnance, and their full companies of seamen and soldiers on board; all which were sunk, blown up, or destroyed. The particulars thereof being read, the house appointed the ensuing Wednesday to be set apart for a day of public Thanksgiving: they also voted 500*l.* to be laid out in the purchase of a Jewel, to be presented to the Admiral as a mark of honour, and a testimony of the Lord Protector and the Parliament's resentment of his eminent and faithful services. But the gallant Blake lived not long enough to receive these marks of the Parliament's respect; he dying on board his own ship, on his return to England, at the very entrance of the Fleet into Plymouth Sound.

June 4. The Committee appointed to consider of the Resolutions of the house, in relation to their Petition and Advice, having made their report, That they had thought it best to put the same by way of additional Articles thereto, the same were read this day.

Cromwell's Speech at passing Money Bills.] June 9. The rising of the parliament being now near at hand, and many Bills got ready for the Lord Protector's assent, this day was appointed for that purpose. About 11, the house received a Message from his highness, signifying that he was then in the Painted-Chamber, and desired to speak with them there. Accordingly, the Speaker, attended by the whole house, went up thither; and after a pithy and short Speech, touching the deliberate and grave proceedings of this parliament, did, in their name, present his highness with three Bills for an Assessment towards defraying the Charges of the Spanish War, and other occasions of the Commonwealth; together with divers other Bills, some of a public, and others of a private concernment; being but, as he styled them, grapes preceding the full vintage.—In the afternoon, the house being met again, the Speaker reported the Lord Protector's Speech, made that morning, upon presenting the Bills, which was to this effect:

"Mr. Speaker; I perceive that, among these many Acts of Parliament, there hath been a very great care had by the parliament to provide for the just and necessary support of the Commonwealth, by those Bills for the levying of money, now brought to me, which I have given my consent unto. Understanding it hath been the practice of those who have been chief governors, to acknowledge, with thanks to the commons, their care and regard of the public, I do very heartily and thankfully acknowledge their kindness herein."

Relation of the Manner of Cromwell's being invested Lord Protector by the Parliament.] June 25. The house having resolved upon a solemn Investiture of their Lord Protector into his Office, this day they gave orders for a Robe of purple velvet lined with Ermine, a Bible, a Sceptre of massy gold, and a Sword of State, to be provided for his highness's Investiture.

June 26. Sir Oliver Flemyng, master of the ceremonies, was ordered to wait upon the several foreign ambassadors and public ministers of state, and invite them to be present at the Ceremonial, which was performed with great state and magnificence. The following Narrative was published by the Protector's authority:

An exact RELATION of the Manner of the solemn Investiture, or happy Inauguration, of his Highness the LORD PROTECTOR at Westminster.*

Friday the 26th of June, being agreed upon for the Investiture of his highness the Lord Protector, and a large place being raised and prepared at the upper end of Westminster-hall for that purpose, there was in the midst thereof, under the great window, a rich cloth of state set up, and under it a chair of state placed upon an ascent of two degrees, covered with carpets; and before it a table, with a Chair appointed for sir Thomas Widdrington, the Speaker of the parliament; and on each side of the hall, upon the said structure, were seats raised one above another, and decently covered for the members of parliament; and below them seats on one side, for the Judges, and on the other side, for the Aldermen of London. About 2 in the afternoon his highness came from Whitehall by water, and landing at the Parliament Stairs, went up into the Chamber called the Lords House; where having retired himself a-while, Mr. Speaker and the members of parliament being come to the Painted-Chamber, his highness attended by his council, the officers of state, and the judges, met them; and gave his consent to the Additional and Explanatory Petition and Advice of the parliament, to a Bill for an adjournment thereof to the 20th of January next, and to all such other Bills as were then presented to him. From thence the Speaker, with the members of parliament, departed to the great Hall at Westminster, where they seated themselves in the places provided for them.—His highness, after a short retirement in a room near the Painted-Chamber, returned into the house of

* The Frontispiece, engraved by Hollar, is a representation of the manner of the Speaker's presenting a Sceptre and Bible to Cromwell; the Sword of State, and the Purple Robe, lying upon a table before him.

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lords. From the said house his highness passed towards the Hall in the manner following: In the first place went his highness's gentleman and other persons of quality; next, an officer of arms going before the recorder and aldermen of London in their scarlets; next, another officer of arms went before Mr. Attorney-general and the lords the Judges in their robes and order; next them, Norroy, king of arms; then 4 serjeants at arms, with their maces, going before the lords commissioners of the treasury and of the great seal, (the lord commissioner Fiennes bearing the seal) and the lord president of his highness's Council; then came Garter, principal king of arms, before the earl of Warwick, who bore the Sword before his highness; on whose left hand went the lord mayor of London, by his highness's special favour, bearing the city sword; after whom came his highness, being attended by his Council, the principal secretary of state, and divers of the nobility and other persons of great quality.—His highness being entered on the place, and standing under the cloth of state, Mr. Speaker did, in the name of the parliament, present several things, ready laid upon the table, to his highness: viz. A Robe of purple velvet, lined with ermine, being the habit antiently used at the solemn Investiture of princes; next, a large Bible, richly gilt and bossed; next, a Sword; and, lastly, a Sceptre, being of massy gold; which being so presented, Mr. Speaker came from his chair, took the robe, and therewith vested his highness, being assisted therein by the earl of Warwick, the lord Whitlocke, and others: which being done, the Bible was delivered unto his highness; after that, Mr. Speaker girt about him the Sword; and, lastly, delivered his highness the Sceptre. These things being performed, Mr. Speaker returned unto his chair, and administered to the Lord Protector the Oath, prepared by the parliament, for that purpose; which he having taken, the Speaker addressed himself to his highness in the following Speech:

"May it please your Highness; You are now upon a great theatre, in a large chore of people. You have the parliament of England, Scotland, and Ireland before you; on your right hand my lords the judges; and on your left hand the lord mayor, aldermen, and sheriffs of London, the most noble and populous city of England. The parliament, with the interposition of your suffrage, makes laws; and the judges and governors of London are the great dispensers of those laws to the people. The occasion of this great convention and intercourse is to give an Investure to your highness in that eminent place of Lord Protector: a name you had before; but it is now settled by the full and unanimous consent of the people of these three nations assembled in parliament. You have no new name, but a new date added to the old name; the 16th of Dec. is now changed to the 26th of June. I am commanded, by the parliament, to make oblation to your highness of four things, in order to this Inauguration. The first is a Robe of purple; an emblem of magistracy, and imports righteousness and justice; when you have put on this vestment, I may say (and I hope without offence) that you are a gown man. This Robe is of a mixed colour to shew the mixture of justice and mercy which are then most excellent when they are well tempered together. Justice without mercy is wormwood and bitterness; and mercy without justice is of too soft a temper for government: for a magistrate must have two hands, plectentem et amplectentem.—The next thing is a Bible; a book that contains the Holy Scriptures, in which you have the honour and happiness to be well versed. This is the Book of Life, consisting of two Testaments, the Old and New. In the first we have Christum velatum, Christ in types, shadows, and figures; in the latter we have Christum revelatum, Christ revealed. This Book carries in it the grounds of the true Christian Protestant Religion; it is a Book of Books; it contains in it both precepts and examples for good government. Alexander so highly valued the books of his master Aristotle, and other great princes other books, that they have laid them every night under their pillows. These are all but legends and romances to this one book; a book to be had always in remembrance; I find it is said in a part of this book, which I shall desire to read, and it is this: Deut. xvii. 'And it shall be when he 'sitteth upon the throne of his kingdom, that 'he shall write a copy of this law in a Book, 'out of that which is before the priests and 'Levites. And it shall be with him, and he 'shall read therein all the days of his life, that 'he may learn to fear the Lord God, and to 'keep all the words of his law, and those sta-'tutes to do them. That his heart be not 'lifted up above his brethren; and that he 'turn not aside from the commandment, to the 'right hand or to the left, to the end he may 'prolong his days in his kingdom, he and his 'children in the midst of Israel.'—The next thing that I am to offer to your highness is a sceptre not unlike a staff, for you are to be a staff. to the weak and poor. It is of antient use in this kind; it is said in scripture, in reference to Judah, the royal tribe, 'That the Sceptre shall not depart from 'Judah.' It was of like use in other kingdoms and governments: Homer, the prince of the Greek poets, calls kings and princes sceptre-bearers.—The last thing is a sword, not a military, but a civil sword, a sword rather for defence than offence; not to defend yourself only, but others also. This sword is an emblem of justice. The noble lord Talbot, in Henry 6th's time, wrote upon his sword, *Ego sum Talboti propter occidendum inimicos meos*; this gallant lord was a better soldier than a critic. If I might presume to fix a motto upon this sword, it should be this, *Ego sum Domini Protectoris, ad protegendum populum meum.* I say this Sword is an emblem of justice, and is to be used as king Solomon used his, for the discovery of the truth in points of justice. I may

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say of this sword as king David said of Goliah's sword, 'There is none like this.' Justice is the proper virtue of the imperial throne, and by justice the thrones of kings and princes are established. Justice is a royal virtue; which, as one saith of it, doth employ the other three cardinal virtues in her service. 1. Wisdom to discern the nocent from the innocent. 2. Fortitude, to prosecute and execute. 3. Temperance, so to carry justice that passion be no ingredient, and that it be without confusion or precipitation.—You have given ample testimony in all these particulars; so that this sword, in your hand, will be a right sword of justice, attended with wisdom, fortitude and temperance. When you have all these together, what a comely and glorious sight it is to behold a Lord Protector in a purple robe with a sceptre in his hand, a sword of justice girt about him, and his eyes fixed upon the Bible! Long may you prosperously enjoy them all, to your own comfort, and the comfort of the People of these three nations."

His highness standing thus adorned in princely state according to his merit and dignity, looking up unto the throne of the most High, who is prince of princes, and in whom is all his confidence, Mr. Manton, by prayer, recommended his highness, the parliament, the council, his highness's forces by sea and land, the whole government, and people of these three nations, to the blessing and protection of God Almighty. After this the people giving several great shouts, and the trumpets sounding, his highness sat down in the chair of state, holding the Sceptre in his hand.—While his highness thus sat, a herald stood up aloft, giving signal to a trumpet to sound three times; after which he did, by authority and direction of parliament, there publish and proclaim his highness Lord Protector of the Commonwealth, requiring all persons to yield him due obedience. Hereupon the trumpets sounded, and the people made several great acclamations with loud shouts, 'God save the Lord Protector.' Then an officer of arms, standing upon the top of the stairs, made proclamation again after the same manner; which was followed with shouts and loud acclamations as before. After a little pause, the whole ceremony being ended, his highness saluting the Ambassadors and public ministers, proceeded thence in his princely Habit, the train whereof was borne up by several noble persons. The aldermen, recorder, the judges, with the officers of state, and the rest, proceeded in the same order as they came from the house of lords, and passed through the hall to the great gate leading into the New Palace-Yard, where his highness entered into his coach of state, being in his robes. The earl of Warwick sat in the other end of the coach, and the lord Richard Cromwell and the lord Whitlocke on one side, the lord Whitlocke having one of the drawn swords in his hand. On the other side sat the lord viscount Lisle and general Montague, bearing the other two drawn swords in their hands. The lord Cleypole, master of the horse, led the horse of honour in rich caparisons; the coach was attended by his highness's life guards, and other guards, with the officers of arms on horseback; the officers of state, judges, lord mayor, and aldermen, all waiting on his highness in their coaches to Whitehall; the whole being managed with state and magnificence, suitable to so high and happy a solemnity."—Thus far the narrative.

The Ceremonial being over, the members returned to their house, and made an Order for recommending it to the Lord Protector, as the desire of parliament, that his highness would be pleased to encourage all Christian Endeavours for uniting the Protestant Churches abroad; also to take some effectual course, upon advice with the Judges, for reforming the government of the Inns of Court, providing a sufficient maintenance for the encouragement of godly and able ministers there, and for reviving the readings, and keeping up exercise, by the students in those seminaries of the law. They then adjourned to the 20th of Jan. ensuing.

List of Cromwell's House of Lords.] Dec. 10. The Protector, according to the powers vested in him, nominated another House of Parliament, to sit and do business in imitation of the House of Lords. The commissioners of the great seal, with the advice of the Judges, had been ordered to prepare a writ for summoning the members of this other house, directed to such persons as the Lord Protector, under his sign manual, should appoint. The following is a List of Cromwell's House of Lords*.

Lord R. Cromwell,	Edmund Thomas,
Lord H. Cromwell,	Sir W. Strickland,
Nath. Fiennes,	John Fiennes,
John Lisle,	Sir Francis Russel,
Henry Lawrence,	Philip visc. Lisle,
Charles Fleetwood,	Sir Tho. Honeywood,
Edm. e. of Mulgrave,	Sir Arthur Haslerig,
Robt. e. of Warwick,	Sir John Hobart,
Edw. e. of Manchester,	Sir Richard Onslow,
W. ld. visc. Say & Sele,	Sir Gilbert Gerrard,
Tho. ld. Fauconberg,	Sir W. Roberts,
Cha. ld. visc. Howard, of Morpeth,	John Glynne, Oliver St. John,
Philip, ld. Wharton,	William Pierrepoint,
Lord John Cleypole,	John Crew,
John Desborough,	Alexander Popham,
Edward Montague,	Philip Jones,
William Sydenham,	Sir W. Lockhart,
Bulstrode Whitlocke,	Sir Christ. Pack,
Sir C. Wolseley,	Sir Robert Tichburne,
Walter Strickland,	Edward Whalley,
Philip Skippon,	Sir John Barkstead,
Francis Rouse,	Sir Thomas Pride,
John Jones,	John Clerke,
George lord Eure,	Richard Ingoldsby,

* For the character of all the members constituting this house, we refer the reader to Mr. Noble's Memoirs of the Protectoral Family, vol. i. p. 370.

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Sir John Hewson,	Roger lord Broghill,
James Berry,	Sir Matt. Tomlinson,
William Goffe,	Sir Robert Pickering,
George Monk,	Sir Geo. Fleetwood,
David earl of Cassill,	Thomas Cooper,
Archibald Johnston,	William Lenthal,
William Steele,	Richard Hampden.

The Judges of the Upper Bench, who, at this time, were Warburton and Newdigate; of the Common Bench, Atkins, Hale, and Wyndham; with the Barons of the Exchequer, Nicholas, Parker, and Hill, were summoned, also, as assistants to this other house.—All the Peers summoned to this assembly, except the lord Eure, forbore to sit therein; and sir A. Haslerig, to shew his contempt of them, took his seat in the house of commons, as member for the town of Leicester.

Cromwell's Speech at the Meeting of the Parliament.] Jan. 20. Pursuant to adjournment, the parliament met; the commons in their own house; the members of the other house, in that which was formerly the house of lords: but, there being no Journals kept of their lordships proceedings, what they did, in the little time they sat, must be gleaned out of those of the commons.—The latter employed the morning in taking the Oath, and appointing a solemn Day of Fasting. After which, being informed that the usher of the black rod, with some Message, was at the door, he was called in; and acquainted them, That his highness was in the House of Lords, and staid for them there; hereupon the Speaker, and all the members, went up, when his highness made the following Speech:

"My Lords, and gentlemen of the house of commons; I meet you here, in this capacity, by the Advice and Petition of this present parliament, after so much expence of blood and treasure, to search and try what blessings God hath in store for these nations. I cannot but with gladness of heart remember and acknowledge the labour and industry that is past, which hath been spent upon a business worthy of the best men, and the best Christians. It is very well known unto you all what difficulties we have passed through, and what we are now arrived at: we hope we may say we are arrived at what we aimed at, if not at that which is much beyond our expectations.—The State of this Cause, and the Quarrel, what that was at the first, you all very well know: I am persuaded most of you have been actors in it. It was the maintaining the Liberty of these nations; our civil liberties as men, our spiritual liberties as Christians. I shall not much look back but rather say one word concerning the state and condition we are all now in. You know very well, the first Declaration after the beginning of this war, that spake to the life, was a sense, held forth by the parliament, That, for some succession of time, designs were laid to innovate upon the civil rights of the nations; and to innovate in matters of Religion: and those very persons, that a man would have thought, should have had the least hand in the meddling with civil things, did justify them all; all transactions that were in pulpits, in presses, and otherwise; which was verily thought would have been a very good shelter to them, to innovate upon us in matters of religion also; and so to innovate as to eat out the core, and power, and heart, and life of all religion, by bringing on us a company of poisonous, Popish ceremonies, and imposing them upon those that were accounted the puritans of the nation, and professors of religion amongst us; driving them to seek their bread in an howling wilderness, as was instanced to our friends, who were forced to fly for Holland, New-England, almost any whither, to find liberty for their consciences.—Now, if this thing hath been the state and sum of our Quarrel, and of those ten years wars wherein we have been exercised: and that the good hand of God (for we are to attribute it to no other) hath brought the business thus home unto us, as it is stated in the Petition and Advice, I think we have all cause to bless God, and the nations have cause to bless him. I well remember I did a little touch upon the 85th Psalm, when I spake unto you in the beginning of this parliament, which expresseth well that we may say as truly and as well, as it was said of old by the penman of that psalm. The first verse is an acknowledgement to God, that he had been favourable to his land, and had brought back the captivity of his people; and that he had pardoned all their iniquities, and covered all their sin, and taken away all his wrath: and indeed of these unspeakable mercies, blessings, and deliverances out of captivity, pardoning national sins and national iniquities, pardoning as God pardons the man whom he justifieth, he breaks through, and overlooks iniquity, and pardoneth because he will pardon: and sometimes God pardoneth nations so; and if the enjoyment of our present peace and other mercies, may be witnesses for God, we feel and we see them every day. The greatest demonstration of his favour and love appears to us in this, That he hath given us peace and the blessings of peace; to wit, the enjoyments of our liberties, civil and spiritual; and I remember well the church falls into prayer, and into praises, great expectations of future mercies, and great thankfulness for the enjoyment of present mercies, and breaks into this expression, 'Surely Salvation 'is nigh unto them that fear him, that glory 'may dwell in our land.' In the beginning, he calls it his land; 'Thou hast been favourable 'to our land:' truly I hope this is his land; and, in some sense, it may be given out that it is God's land. And he that hath the weakest knowledge, and the worst memory, can easily say we are a redeemed people, (when first God was pleased to look favourably upon us) out of the hands of popery, in that never-to-be-forgotten reformation, that most significant and greatest the nation hath felt or tasted. I would but touch upon that, and but a touch:

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how hath God redeemed us, as it is this day, not from trouble, and sorrow, and anger; but unto a blessed and happy estate and condition, comprehensive of all the interest of every member, of every individual of those mercies, as you very well see! And then in what sense it is our land, through this grace and favour of God, that he hath vouchsafed unto us, and bestowed upon us, with the gospel, with peace and rest, out of ten years war, and given us what we would desire! nay, who could have forethought, when we were plunged into the midst of our troubles, that ever the people of God should have had liberty to worship God without fear of enemies? which is the very acknowledgement of the promise of Christ, That he would deliver his from fear of enemies, that they might worship him in holiness and in righteousness all the days of their life.—This is the portion that God hath given us; and I trust we shall for ever heartily acknowledge it. The Church goes on there, and makes her boast yet further; 'His salvation is nigh them that 'fear him, that glory may dwell in our land,' his glory not carnal, nor any thing else that accompanies this glory of a free possession of the Gospel; this is that we may glory in. And he says further, 'Mercy and truth are met to-'gether, Righteousness and peace have kissed 'each other.' And it shall be such righteousness as comes down from heaven; 'Truth shall 'grow out of the earth, and righteousness shall 'come down from heaven.' Here is the truth of all; here is the righteousness of God, under the notion of righteousness, confirming our abilities, answerable to the truth that he hath in the gospel revealed towards us: and he closeth with this; 'Righteousness shall go before him, 'and shall set us in the way of his steps.' That righteousness, that mercy, that love, and that kindness which we have seen, and have been made partakers of from the Lord; it shall be our guide to teach us to know the right and the good way; which is to tread in steps of mercy, righteousness, and goodness, that our God hath walked before us in.—We have a peace this day: I believe, in my very heart, you all think the things that I speak to you this day; I am sure you have cause. And yet we are not without the murmurings of many people, who turn all this grace and goodness into wormwood, who indeed are disappointed by the works of God: and those men are of several ranks and conditions; great ones, lesser ones, of all sorts; men that are of the episcopal spirit, with all the branches, the root and the branches; who gave themselves a fatal blow in this place, when they would needs make a protestation, That no laws were good which were made by this house, and the house of commons, in their absence; and so, without injury to themselves, cut off themselves.—Indeed men that know not God; that know not how to account upon the works of God; how to measure them out, but will trouble nations for an interest, which is but mixt at the best; made up of iron and clay, like the feet of Nebuchadnezzar's image; whether they were more civil or spiritual, was hard to say, but their continuance was like to be known before-hand; iron and clay make no good mixtures, they are not durable at all.—You have now a Godly Ministry; you have a knowing ministry; such a one as, without vanity be it spoken, the world has not; men knowing the things of God, and able to search into the things of God; by that only that can fathom those things in some measure. The spirit of a beast knows not the spirit of a man; nor doth the spirit of man know the things of God: the things of God are known by the spirit. Truly, I will remember but this one thing of those; their greatest persecution hath been of the people of God; men of the spirit of God, as, I think, very experiences will sufficiently demonstrate.—Besides, what is the reason, think you, that men slip in this age wherein we live? As I told you before, they understand not the works of God; they consider not the operation of his laws; they consider not that God resisted and broke in pieces the powers that were, that men might fear him; might have liberty to do, and to enjoy, all that we have been speaking of: which certainly God hath manifested, that this was the end, and that he hath brought the things to pass. Therefore it is that men yet slip, and engage themselves against God; and for that very cause, in the 28th psalm, saith David, 'He shall break them down, and not build them up.' If therefore you would know upon what foundation you stand, own your foundation from God. He hath set you where you are; he hath set you in the enjoyment of your civil and of your spiritual liberties. I deal clearly with you: I have been under some infirmity; therefore dare not speak further unto you, but to let you know thus much, that I have, with truth and simplicity, declared the state of our cause, and attainments in it, to you, by the industry and labour of this parliament, when they last met upon this foundation, (you shall find I mean the foundation of a Cause and Quarrel thus attained to) wherein we are thus estated; I should be very glad to lay my bones with yours; and would have done it with all heartiness and chearfulness, in the meanest capacity that I was ever yet in, to serve the parliament.—If God give you, as I trust he will, he hath, given it you; for, what have I been speaking of but what you have done? He hath given you strength to do what hath been done: and, if God should bless you in this work, and make this meeting happy upon this account, you shall all be called the Blessed of the Lord; the generations to come will bless us; you shall be 'the Repairers of Breaches, and the Restorers of Paths to dwell in:' and if there be any work that mortals can attain to in the world beyond this, I acknowledge my ignorance. As I told you, I have some infirmities upon me: I have not liberty to speak more unto you; but I have desired an honourable person here by me, to discourse a little more

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particularly, what may be more proper for this occasion, and this meeting."

The Protector having ended his harangue, the lord commissioner Fiennes made a Speech to both houses, by way of enlargement thereupon. After which the commons returned to their own house, and ordered that all the Committees concerning public affairs, which had been appointed before their recess, should be revived. By the 3rd Article of the Humble Petition and Advice, no persons legally chosen by a free election of the people to serve in parliament, were to be excluded therefrom, but by the judgment and consent of that house whereof they were members. In consequence of this, all those gentlemen who had been denied their seats, at the first meeting of this parliament, on pretence of their not being approved of by the Protector's Council, were freely admitted. This opened the door to about 100 of Cromwell's most inveterate enemies, who had obtained great credit and interest in the house, by having been excluded for their fidelity to the Common-wealth.

The Commons call in question the Authority of the Other House.] Jan. 22. The commons being informed that some gentlemen were at the door, with a Message from the Lords, they were ordered to be called in; when it appeared that they were two of the judges, Wyndham and Hill; the former of whom delivered a Message to this effect: "I am commanded by the Lords, to desire of this house, that you will join with their lordships, in an humble Address to the Lord Protector, That he will be pleased to appoint a Day of public Humiliation, throughout the Three Nations." After debating this Message, it was resolved, by a majority of 75 against 51, that the house would send an Answer thereto, by messengers of their own. This Resolution gave so great disgust to the Protector, that, on the 25th, he sent a Letter, directed to the Speaker of the commons, which was this day read, desiring them to give him a meeting at the Banquetting-House, at 3 that afternoon: accordingly, they went up thither, at the time appointed, where the Protector made another Speech to them. This is not entered in the Journals, nor have we met with it any where else. Mr. Whitlocke informs us, That the purport of it was, an exhortation to unity, and to the observance of their own rules laid down in the Humble Petition and Advice; because sir Arthur Haslerig and some others, not allowing of the new House of Lords, had spoken reproachfully of them.

Jan. 28. The Speaker having made a report of the foregoing Speech, he further told them, by the Lord Protector's desire, "That his highness intended to have imparted to them a Paper, concerning the State of the Public Monies, which he had not then ready with him; but that the house should have it, whenever they did desire the same." Hereupon, it was resolved, That a committee be appointed to wait upon the Lord Protector, and desire him to cause the Speech he had last made, to be printed; also to communicate to them the Paper concerning the State of the Public Monies; and to acquaint him, that the house would take the matters, imparted to them in the said Speech, into their serious and speedy consideration. After which it was resolved, by a majority of 92 against 84, that no private business be taken into consideration for one month.

Jan. 29. Mr. Nath. Bacon, * reported, That the committee, having waited upon his highness and presented him with the foregoing Resolutions, he gave this Answer: That his highness said, "He could not have looked upon the Committee as a committee of the house of commons, had he not seen the Paper, and the persons of the committee. That what he spake in the Banquetting-House, was delivered to both the houses; and that he was exceeding tender of the breach of privilege of either house, whereunto he had sworn; and which, by the blessing of God, would maintain; and that he did not know, nor was satisfied, that it was not against the privilege of either house, for him to give an Answer to either of the houses apart. That he spoke to the houses those things that did lie upon his own heart; and that he did acquaint them, honestly and plainly, how things stood in matters of fact; but that of the particulars he did not remember four lines: that he had considered with some persons about the Papers relating to Money, and found some particulars short, and some over; but he would take them into consideration, and set them right, and would give a timely account thereof. That he desired his affections might be presented to the house; and that he would be ready to serve them, faithfully, in the capacity he was in."—The commons, after hearing this report made, began to debate what Answer they should return to the Message brought from the other house; but came to no resolution, till the next day; and then only ordered, that the first thing to be considered should be the Appellation of the persons to whom the said Answer was to be given, but this matter not to be entered into till after a call of the house.

Feb. 1. The names of the members were all called over; and then the debate upon the foregoing matter was resumed, which continued that day and the next; when, at length, it being proposed to go immediately into a grand committee, to consider touching the Appellation of the Other House, that motion passed in the negative, by 93 against 87. However, their new lordships, desirous to try the pulse of the commons once more, sent a Message to them in writing, by two of the Judges, to this effect, "That the lords desired the commons to join with them in an Address to the Lord Protector, that his highness would be pleased to issue a Proclamation by the ad-

* Author of the Discourses on Government.

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vice of both houses, commanding all papists, and others, who had been in arms against the Commonwealth, to depart out of London and Westminster and the late lines of communication, and 20 miles of the same, by a certain day, &c." This Message being read, the commons resolved, without a division, That they would send an Answer by messengers of their own; and then adjourned the debate till the next day.

Cromwell dissolves the Parliament.] Feb. 4. The commons resumed the debate concerning the Appellation of the other house; and were in the midst of it, when the Speaker informed them, That the usher of the black rod was at the door, with a Message from the Lord Protector; being called in, and making his obeisance, he said, 'Mr. Speaker, his 'highness is in the house of lords, and desires 'to speak with you.' Hereupon, the commons resolved, That the debate on the Appellation of the Other House be adjourned to their return. The Speaker then left the chair, and went up with the members to attend upon the Lord Protector, where his highness declared this present parliament to be dissolved.

His Speech on that Occasion.] This is all that can be gathered from the Journals, worth our notice, touching the proceedings of this short session. But it appears by the contemporary historians, that notwithstanding the advice and intreaties of Whitlocke and others of the Protector's Council, against the dissolution of this parliament, yet the alarms from abroad daily increasing, and the fresh informations brought him concerning the diligence of his adversaries at home, quickened him to that degree in his resolution to dismiss them, that he would not stay for his coach of state; but taking the first that was at hand, went from Whitehall, attended only by lieut. col. Cromwell his nephew, and six of his guards, to Westminster; and sending for the commons to come up to him in the house of lords, he made the following Speech:

"I had very comfortable expectations that God would make the meeting of this parliament a blessing; and, the Lord be my witness, I desired the carrying on the affairs of the nation to these ends: the blessing which I mean, and which we ever climbed at, was mercy, truth, righteousness, and peace, which I desire may be improved.—That which brought me into the capacity I now stand in, was the Petition and Advice given me by you, who, in reference to the antient constitution, did draw me to accept of the place of Protector. There is not a man living can say I sought it; no, not a man nor woman treading upon English Ground; but, contemplating the sad condition of these nations, relieved from an intestine war unto a 6 or 7 years peace, I did think the nation happy therein. But to be petitioned thereunto, and advised by you to undertake such a government, a burden too heavy for any creature, and this to be done by the house that then had the legislative capacity, I did look that the same men that made the frame, should make it good unto me. I can say, in the presence of God, in comparison of whom we are but like poor creeping ants upon the earth, I would have been glad to have lived under my wood side, to have kept a flock of sheep, rather than undertook such a government as this is; but, undertaking it by the Advice and Petition of you, I did look that you, that had offered it unto me, should make it good.—I did tell you, at a conference concerning it, that I would not undertake it, unless there might be some other persons that might interpose between me and the house of commons, who then had the power to prevent tumultuary and popular spirits; and it was granted I should name another house. I named it of men that shall meet you wheresoever you go, and shake hands with you, and tell you it is not titles, nor lords, nor party, that they value, but a Christian and an English interest: men of your own rank and quality, who will not only be a balance unto you, but to themselves, while you love England and religion.—Having proceeded upon these terms, and finding such a spirit as is too much predominant, every thing being too high or too low, when virtue, honesty, piety, and justice are omitted; I thought I had been doing that which was my duty, and thought it would have satisfied you; but if every thing must be too high or too low, you are not to be satisfied.—Again: I would not have accepted of the government, unless I knew there would be a just accord between the governor and the governed; unless they would take an Oath to make good what the parliament's Petition and Advice advised me unto; upon that I took an oath, and they took another oath upon their part answerable to mine; and did not every one know upon what condition they swore? God knows, I took it upon the conditions expressed in the government: and I did think we had been upon a foundation, and upon a bottom; and thereupon I thought myself bound to take it, and to be advised by the two houses of parliament: and we standing unsettled till we were arrived at that, the consequences would necessarily have been confusion, if that had not been settled: yet there are not constituted hereditary lords, nor hereditary kings, the power consisting in the two houses and myself. I do not say that was the meaning of your oath to you; that were to go against my own principles, to enter upon another man's conscience: God will judge between me and you; if there had been in you any intention of Settlement, you would have settled upon this basis, and have offered your judgment and opinion.—God is my witness, I speak it; it is evident to all the world and people living, that a new business hath been seeking in the Army against this actual Settlement made by your consent. I do not speak to these gentlemen, or lords," [pointing to his right hand] "whatsoever you will call them. I speak not this to them, but to you. You advised me to run into this place, to be in a capacity by your advice;

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yet, instead of owning a thing taken for granted some must have I know not what; and you have not only disjointed yourselves, but the whole nation, which is in likelihood of running into more confusion, in these 15 or 16 days that you have sat, than it hath been from the rising of the last session to this day, through the intention of devising a Commonwealth again, that some of the people might be the men that might rule all; and they are endeavouring to engage the Army to carry that thing. And hath that man been true to this nation, whosoever he be, especially that hath taken an Oath, thus to prevaricate? these designs have been among the Army, to break and divide us. I speak this in the presence of some of the Army, that these things have not been according to God, nor according to truth, pretend what you will. These things tend to nothing else, but the playing the king of Scots' game, if I may so call him; and I think myself bound, before God, to do what I can to prevent it.—That which I told you, in the Banquetting-House, was true, that there were preparations of force to invade us; God is my witness, it hath been confirmed to me since, within a day, that the king of Scots hath an army at the water side, ready to be shipped for England. I have it from those who have been eye-witnesses of it: and, while it is doing, there are endeavours from some, who are not far from this place, to stir up the people of this town into a tumulting: what if I said into a rebellion? and I hope I shall make it appear to be no better, if God assist me: it hath been not only your endeavour to pervert the Army, while you have been sitting, and to draw them to state the question about a Commonwealth, but some of you have been listing of persons, by commission of Charles Stuart, to join with any insurrection that may be made: and what is like to come upon this, the enemy being ready to invade us, but even present blood and confusion? and if this be so, I do assign to this cause your not assenting to what you did invite me to by the Petition and Advice, as that which might be the Settlement of the nation; and if this be the end of your sitting, and this be your carriage, I think it high time that an end be put unto your sitting; and I do dissolve this parliament: and let God judge between me and you."—At this many of the commons cried out, Amen!

By the sudden Dissolution of this parliament all the Bills then depending in the house of commons were rendered abortive. It is obvious, from the foregoing Speech, that the commons refusing to own the Protector's Other House as a house of lords, and consequently a court of judicature, was one principal reason of his resentful manner of dissolving this parliament.

The City of London and the Officers of the Army resolve to support the Protector.] Immediately after the parliament was dissolved, Orders were issued by the Council, for preventing all private assemblies under the pretence of prayers or preaching: and so jealous was Cromwell of such part of the Army as was at this time quartered about St. James's, that he took the inspection of the watch at Whitehall, for several nights successively, in his own person. And having now got rid of his parliament, and thereby become once more an absolute sovereign, he made use of his power to new-model the Army, by removing such Officers as he suspected would obstruct his design. In order thereunto he had dismissed major-gen. Lambert from his service, for refusing to take the oath of fidelity to him, as required by the Humble Petition and Advice; but at the same time, not thinking it safe intirely to disgust a man of so great interest among the soldiery, he allowed him a pension of 2000*l.* per annum, to keep him from any desperate undertaking.—Yet, notwithstanding all these precautions, he was not without continual apprehensions. Some machinations were formed against him by the Fifth-Monarchy Men, of whom Harrison was the chief: of this Plot the Protector had early intelligence, and quickly suppressed it, by imprisoning the principal conspirators. But the repeated information he daily received, from his spies in the exiled king Charles's court at Brussels, of an intended invasion in favour of that prince, so highly alarmed him, that on the 12th of March, he sent for the lord mayor, aldermen, and common council of London, and also the principal officers of the Army, to attend him that day at Whitehall. What passed at this meeting we shall exhibit from the Narrative thereof published by authority.—"The company being all admitted to the Lord Protector's presence, his highness represented to them the danger wherein that city, and the whole nation were involved at present, by reason of the new designs of the old enemy, Charles Stuart and his confederates abroad, and his party here at home; who had been at work secretly to imbroil the nation again in blood, as soon as he should be able to make his intended invasion. His highness told them, that he knew this to be true; that he knew it by letters of theirs intercepted; by certain intelligence, from abroad, of their proceedings; and by information from the mouths of such persons as had been engaged to act with them. He acquainted them likewise, that the lord of Ormond, in person, had been lately in England for 3 weeks together, being come over on purpose to promote the design, by encouraging and engaging as many as he could in and about the city; and that he went away again only 3 days before: That, in order to this invasion, Charles Stuart was waiting in Flanders, having about 8000 men quartered in several places near the water side; as at Bruges, Brussels, Ostend, &c. and that 22 hired ships were in readiness to transport them, waiting only for the opportunity of some dark night to slip by the English fleet; which they might the more easily perform, our ships being of great burden, drawing much water, and so not able to ride upon the

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flats; and therefore seeing a real danger so near at hand, and that the peace and safety of the city, and the whole nation, was highly concerned in it, he desired the citizens might be made sensible of it, and how much it behoved them to provide for their own and the nation's security. To that end his highness recommended to the lord mayor and the body of the city, the settling their Militia; and that it might be placed in the hands of pious and sober men, well-affected to the present government, and such as were free from discontent and faction; persons that might carry on the work with alacrity and discretion; to put the city in a posture of defence, that they might be in a condition to suppress all tumults and insurrections, designed by the enemies of the nation's peace and prosperity.—The citizens expressed much chearfulness in the presence of the Lord Protector, departed highly satisfied, and immediately set about putting his highness's direction into effectual execution."—A few days after this, an address was presented to the Protector by the lord Fleetwood, in the name of the Officers of the Army, declaring, "That they not only freely and heartily engaged to stand by his highness with their lives, but also to improve their interest with the Lord God, for his gracious and mighty assistance of Cromwell in the further prosecution of the great work which the divine majesty had called him unto."

On the 8th of April the Protector received advice of a Victory his forces had obtained against those of the king of Spain, in Jamaica, with a relation of the Spaniards losing their plate-fleet.—About Midsummer the town of Dunkirk, which at this time belonged to the Spaniards, having sustained a siege of some weeks against the united forces of England and France, surrendered upon articles; and Lockhart, Cromwell's ambassador, was put into the possession of it, (by the French king in person, and in the presence of cardinal Mazarin) in the name of his master.

Cromwell's Sickness and Death.] It was not long after all these important successes, that Cromwell himself was called upon to give an account of his conduct to the Supreme Disposer of all events: for, on the 12th of August, he was taken ill at Hampton-Court, and died on the 3rd of September following, being the same day of the same month on which he had gained the two great victories of Dunbar and Worcester; and which had, during his whole protectorate, been annually observed as a general thanksgiving.

Richard Cromwell declared Protector.] "When that potent hand," says Mr. Hume, "was removed, which conducted the government, every one expected a sudden dissolution of the unwieldy and ill-jointed fabric. Cromwell's eldest son Richard, a young man of no experience, educated in the country, accustomed to a retired life, unacquainted with the Officers, and unknown to them, recommended by no military exploits, endeared by no familiarities, could not long, it was thought, maintain that authority, which his father had acquired by so many valorous achievements and such signal successes. And when it was observed, that he possessed only the virtues of private life, which in his situation were so many vices; that indolence, incapacity, irresolution, attended his facility and good nature; the various hopes of men were excited by the expectation of some great event or revolution. For some time, however, the public was disappointed in this opinion. The Council recognized the succession of Richard: Fleetwood, in whose favour it was supposed Cromwell had formerly made a will, renounced all claim or pretension to the Protectorship. Henry, Richard's brother, who governed Ireland with popularity, ensured him the obedience of that kingdom: Monk, whose authority was well established in Scotland, being much attached to the family of Cromwell, immediately proclaimed the New Protector: the Army every where, the Fleet acknowledged his title: above 90 Addresses, from the counties and most considerable corporations, congratulated him on his accession, in all the terms of dutiful allegiance: foreign ministers were forward in paying him the usual compliments: and Richard, whose moderate, unambitious character never would have led him to contend for the empire, was tempted to accept of so rich an inheritance, which seemed to be tendered to him by the consent of all mankind."

Richard Cromwell calls a Parliament.] It being found necessary to call a Parliament, in order to furnish Supplies, both for the ordinary administration, and for fulfilling those engagements with foreign princes, particularly Sweden, into which the late Protector had entered, Richard, by the advice of his Council, issued out writs, about the middle of December, to call a Parliament to meet on the 27th of Jan.

List of Richard Cromwell's New Parliament.] The following is,

A LIST of the Knights, Citizens, Burgesses, and Barons of the Cinque-Ports, returned to serve in the Parliament of the Commonwealth, holden at Westminster, January 27, 1658.*

Bedfordshire,
Col. John Okey,
Maj. Rd. Wagstaffe.
Bedford,
Samuel Brown,
Thomas Margets.
Berkshire,
Capt. John Dunch,
Sir Robert Pye.
New Windsor,
George Starkey,
Christ. Whichcote.
Reading,
Henry Nevile,
Daniel Blagrave.
Wallingford,
Wm. Cook,
Walter Bigg.
Abingdon,
Sir John Lenthal.
Buckinghamshire,
Francis Drake,
Richard Grenville,
Buckingham,
Col. Fran. Ingoldsby,
Sir Rd. Temple.

* This List is taken from the Diaries of the times, compared with Dr. Willis's Notitia Parliamentaria, and corrected by the Journals of the House of Commons.

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Wicombe,
Thomas Scott,
Maj. Gen. T. Bridge.
Aylesbury,
Sir J. Whitelocke,
Thomas Terrill.
Amersham,
Francis Drake,
Wm. Bowyer,
Col. John Biscoe.
Wendover,
Wm. Hampden,
John Baldwin.
Marlow,
Peregrine Hobby,
Wm. Borlace.
Cambridgeshire,
Sir Thomas Willis,
Sir Henry Pickering.
Cambridge-University,
John Thurloe,
Thomas Slater.
Cambridge,
John Lowrye,
Richard Timbs.
Wisbech,
John Thurloe.
Cheshire,
John Bradshaw,
Richard Legh,
Chester,
Jonathan Ridge,
John Griffith.
Cornwall,
Hugh Boscawen,
Francis Buller, jun.
Dunchevit, alias
Launceston,
Thomas Gewen,
Robert Bennet.
Leskard,
Thomas Noell,
Hunt Greenwood.
Lestwithiel,
Walter Moyle,
John Clayton.
Truro,
Charles Boscawen,
Walter Vincent.
Bodmyn,
John Ceely,
Wm. Turner.
Helston,
Robert Rouse,
Thomas Juxon.
Saltash,
John Buller,
Edmund Prideaux.
Camelford,
John Maynard,
Capt. Wm. Bradden.
Portpigham alias
Westlow,
Wm. Whitelocke,
Wm. Petty.
Grampound,
Thomas Herle,
Robert Scawen.
Eastlow,
John Buller,
John Kendall.
Penryn,
John Fox,
Thomas Ceeley.
Tregony,
John Thomas,
Edward Boscawen.
Bossiney,
Thomas Povey,
Samuel Trelawney.
St. Ives,
John St. Awbyne,
Peter Ceeley.
Fowey,
Edward Herle,
John Barton.
St. Germains,
John Glanville,
John St. Awbyne.
Michel,
James Launce,
Richard Lobb.
Newport,
Wm. Morrice,
Sir John Glanville.
St. Mawes,
John Lampen, jun.
Wm. Tredenham.
Kellington,
James Carew,
Anthony Buller.
Cumberland,
Sir W. Lawson,
Col. William Briscoe.
Carlisle,
Col. George Downing,
Thomas Craister.
Cockermouth,
John Stapleton,
Wilfrid Lawson.
Derbyshire,
John Gell,
Thomas Sanders.
Derby,
Gervase Bennet,
John Dalton.
Devonshire,
Sir John Northcote,
Robert Rolle.
Exeter,
Thomas Bampfield, the third Speaker of this Parliament.
Major Tho. Gibbon.
Honyton,
Walter Young,
Samuel Searle.
Totness.
Capt. John Pleydell,
Gilbert Evelyn.
Ashburton,
Thomas Reynell,
John Fowell.
Plymouth,
Christopher Ceely,
Timothy Alsop.
Okehampton,
Robert Everland,
Edward Wise.
Barnstaple,
Sir John Coplestone,
George Walters.
Plympton,
Capt. Henry Hatsell,
Christopher Martin.
Tavistoke,
Edmund Fowell,
Capt. Henry Hatsell.
Clifton, Dartmouth, Hardness,
Thomas Boon,
Col. John Clark.
Beralstone,
John Maynard,
Elizeus Crynes.
Tiverton,
Sir Cop. Bampfield,
Francis Warner.
Dorsetshire,
Sir Walter Erle,
Col. John Bingham.
Poole.
Sir A. Ashley Cooper,
Samuel Bond.
Dorchester,
James Gould,
John Bulstrode.
Lyme-Regis,
Sir Edmund Prideaux,
Henry Henley.
Weymouth.
John Trenchard,
Col. Walden Lagoe.
Melcomb-Regis,
Col. John Clark,
Peter Middleton.
Bridport,
Edward Cheek,
John Lee.
Shaftsbury,
Henry Whitaker,
James Baker.
Wareham,
Elias Bond,
James Dewey.
Corfe-Castle,
Ralph Banks,
John Tregonwell.
Essex,
Hon. Charles Rich,
Edward Turnor.
Colchester,
John Shaw,
Abraham Johnson.
Malden,
Col. Henry Mildmay,
Joachim Matthews.
Harwich,
John Sicklemore,
Thomas King.
Gloucestershire,
John Grubham Howe,
John Stephens.
Gloucester,
James Stephens,
Laurence Singleton.
Cirencester.
John Stone,
Richard Southby.
Tewkesbury,
Edward Cook,
Robert Long.
Herefordshire,
Col. Wroth Rogers,
Bennet Hoskins.
Hereford,
Nathan Rogers,
Roger Bosworth.
Leominster,
Col. John Birch,
Edward Freeman.
Weobly,
Herbert Perrot,
Robert Andrews.
Hertfordshire,
Rowland Litton,
Richard Gulston.
St. Albans,
Richard Jenyns,
Col. Alban Cox.
Hertford,
Isaac Puller,
James Cooper.
Huntingdonshire,
Col. Henry Cromwell,
Nicholar Pedley.
Huntingdon,
John Thurloe,
John Barnard.
Kent,
William James,
Sir Thomas Style.
Canterbury,
Thomas St. Nicholas,
Col. Robert Gibbon.
Rochester,
Rd. Hutchinson,
Peter Pett.
Maidstone,
Andrew Broughton,
John Banks.
Queenborough,
Hon. James Herbert,
Thomas Bayles.
Lancashire,
Sir George Booth,
Alexander Rigby.
Lancaster,
Col. Wm. West,
Henry Porter, jun.
Preston,
Col. Rd. Shuttleworth,
Col. Rd. Standish.
Wigan.
Hugh Forth,
Robert Markland.
Liverpool,
Col. Gilb. Ireland,

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Alderman Blackmore.
Newton,
William Brereton,
Peter Legh.
Leicestershire,
Sir Thos. Beaumont,
Col. Francis Hacker.
Leicester.
Sir Art. Hasilrigge,
Wm. Stanley.
Lincolnshire,
Edward Rossiter,
Thomas Hatcher.
Lincoln.
Robert Marshal,
Thomas Meres.
Boston,
Sir Anthony Irby,
Francis Mussenden.
Great Grimsby,
Wm. Wray,
Edward Ascough.
Stamford,
Christopher Clapham,
John Weaver.
Grantham,
Sir Wm. Ellis,
Thomas Skipworth.
Middlesex,
Chaloner Chute, the first Speaker of this Parliament.
Francis Gerrard.
Westminster,
Richard Sherwyn,
Edward Grosvenor.
London,
Wm. Thompson,
Theophilus Biddulph,
Capt. John Jones,
Maj. Gen. R. Browne.
Monmouthshire,
William Morgan,
Col. John Nicholas.
Monmouth,
Nath. Waterhouse.
Norfolk,
Sir Hor. Townshend,
Sir Wm. D'Oyly.
Norwich,
William Barnham,
John Hobart.
Lynn-Regis,
Thomas Toll,
Capt. Griffith Lloyd.
Yarmouth,
Chs. George Cook,
William Burton.
Thetford,
William Stene,
Robert Steward.
Castle-Rising,
John Fielder,
Guybon Goddard.
Northamptonshire,
Richard Knightley,
Philip Holman.
Peterborough,
Francis St. John,
Col. Alexander Beake.
Northampton,
Francis Hervey,
James Langham.
Brackley,
Thomas Crew,
William Lisle.
Higham-Ferrers,
James Nutley.
Northumberland,
William Fenwick,
Ralph Delavall.
Newcastle upon-Tyne,
Mark Shaftoe,
Thomas Lilburne.
Morpeth.
Robert Delavall,
Robert Mitford.
Berwick upon Tweed,
John Rushworth,
George Payler.
Nottinghamshire,
Edward Nevil,
Thomas Bristow.
Nottingham,
John Whaley,
John Parker.
East-Retford.
Clifford Clifton,
William Cartwight.
Oxfordshire,
Henry Carey,
Robert Jenkinson.
Oxford University,
Matthew Hale,
John Mills.
Oxford,
Richard Croke,
Maj. Unton Croke.
Woodstock,
Sir Jerome Sankey,
Miles Fleetwood.
Banbury,
Nathaniel Fiennes.
Rutlandshire,
William Shield,
Edward Horseman.
Shropshire,
Thomas Mackworth,
Philip Young.
Shrewsbury,
William Jones,
Humph. Mackworth.
Bridgenorth,
Edmund Waryngе,
John Humphrys.
Ludlow,
Job Charlton,
Samuel Baldwin.
Great Wenlock,
Thomas Whitmore,
Sir Francis Lawley.
Bishops-Castle.
Samuel More,
William Oakeley.
Somersetshire,
John Buckland,
Robert Hunt.
Bristol,
Robert Aldworth,
Joseph Jackson.
Bath,
James Ash,
John Harrington.
Wells,
Sir Lislebone Long, the second Speaker of this Parliament.
Thomas White.
Taunton,
Sir Wm. Wyndham.
Col. Tho. Gorges.
Bridgewater,
Sir Tho. Wroth,
John Wroth.
Mynhead,
Col. Alex. Popham,
Rd. Hutchinson.
Ilchester,
Richard Jones,
John Barker.
Milbourn-Port,
William Carent,
Robert Hunt.
Southamptonshire,
Richard Norton,
Robert Wallop.
Winchester,
John Hildelsey,
Nicholas Love.
Southampton,
Thomas Knollys,
Roger Gallop.
Portsmouth,
Francis Willoughby,
John Child.
Yarmouth,
John Sadler,
Richard Lucy.
Petersfield,
Sir Henry Norton,
Josiah Child.
Newport,
Thomas Boreman,
Robert Dillington.
Stockbridge,
Francis Rivet,
Richard Whitehead.
Newton,
William Laurence,
John Maynard.
Christ-Church,
John Bulkeley,
Henry Tulse.
Whitchurch,
Sir Henry Vane,
Robert Reynolds.
Lymington,
John Button, jun.
Rd. Whitehead, jun.
Andover,
Col. Gabriel Beck,
Robert Gough.
Staffordshire,
Sir Tho. Whitgrave,
Col. Tho. Crompton.
Litchfield,
Capt. Daniel Watson,
Thomas Mynors.
Stafford,
Martin Noell,
William Jessop.
Newcastle under Line,
Maj. Gen. T. Bridge,
Edward Keeling.
Tamworth,
John Swinfen,
Capt. Thomas.
Suffolk,
Sir Henry Felton,
Sir Tho. Barnardiston.
Ipswich,
Nathaniel Bacon,
Francis Bacon.
Dunwich,
Robert Brewster,
John Barrington.
Orford,
Thomas Edgar,
Jeremy Copping.
Aldborough,
Laurence Oxburgh,
John Bence.
Sudbury,
Samuel Hassel,
Col. John Fothergill.
St. Edmunsbury,
Col. John Clarke.
Eye,
Thomas Chaplin,
Edward Dendy,
Joseph Blisset.
Surrey,
Arthur Onslow,
Francis Drake.
Southwark,
George Thompson,
Andrew Brewer.
Blechingley,
John Goodwin,
Edmund Hoskins.
Ryegate,
John Hele,
Edward Thurland.
Guildford,
Carew Raleigh,
Robert Parkhurst.
Gatton,
Thomas Sturges,
Edward Bishe.
Haselmere,
John Westbrook,
Henry Fitz-James.
Sussex,
Col. Herbert Morley,
John Fagge.
Chichester,
Henry Pelham,
William Cawley, jun.

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Horsham,
William Freeman,
Henry Chowne.
Midhurst,
Wm. Yalden, jun.
Benjamin Weston.
Lewes,
Col. Herbert Morley,
Richard Boughton.
Shoreham,
Edward Blake,
John Whaley.
Bramber,
John Fagge,
John Byne.
Steyning,
Sir John Trevor,
Anthony Shirley.
East-Grinstead,
Sir Rob. Goodwin,
George Courthorpe.
Arundel,
Henry Onslow,
Richard Marriot.
Warwickshire,
Richard Lucy,
Col. J. Hawkesworth.
Coventry,
Maj. Robert Beake,
Col. William Purefoy.
Warwick,
Foulk Lucy,
Thomas Archer.
Westmoreland,
Thomas Burton,
Thomas Wharton.
Appleby,
Adam Baines,
Nathaniel Redding.
Wiltshire,
Sir W. St. John,
Sir A. Ashley Cooper.
New Sarum,
Henry Eyre,
Huphrey Ditton.
Wilton,
Hon. John Herbert,
Rd. Grubham Howe.
Dounton,
Thomas Fitz-James,
William Coles.
Hindon,
Maj. gen. E. Ludlow,
Edward Tooker.
Heistbury,
John Ashe,
Samuel Ashe.
Westbury,
Robert Villiers,
alias Danvers,
William Eyre.
Calne,
Edward Baynton,
William Ducket.
Devizes,
Chaloner Chute, jun.
Capt. Edward Scotton.

Chippenham,
Sir Ed. Hungerford,
James Stedman.
Malmsbury,
Sir Henry Lee,
Thomas Higgons.
Cricklade,
Edward Pool,
John Hawkins.
Bedwin,
Henry Hungerford,
Thomas Manley.
Ludgershall,
James Davy,
Richard Sherwyn.
Old Sarum,
Richard Hill,
Maj. William Ludlow.
Wooton Basset,
Hen. St. John,
Robert Stevens.
Marlborough,
Thomas Grove,
James Hayes.
Worcestershire,
Nicholas Lechmere,
Thomas Foley.
Worcester,
William Collins,
Thomas Streete.
Droitwich,
John Wylde,
Edward Salway.
Evesham,
Theophilus Andrews,
Robert Atkins.
Bewdley,
Edward Pytts.
Yorkshire,
Thomas lord Fairfax,
Thomas Harrison.
York,
Sir Tho. Dickenson,
Christopher Topham.
Kingston on Hull,
John Ramsden,
Andrew Marvel.
Knaresborough,
Slingsby Bethel,
Robert Walters.
Scarbrough,
Thomas Chaloner,
Edward Salmon.
Richmond,
Sir Christ. Wyvil,
John Bathurst.
Heydon,
Thomas Strickland,
Matthew Allured.
Boroughbridge,
Robert Stapylton,
Laurence Parsons.
Thirsk,
Col. Thomas Talbot,
Maj. Gen. Goodrick.
Aldborough,
John lord Lambert,
Francis Goodrick.
Malton,
P. Howard, G. Robinson, L. Marwood } Double Return*
Ripon,
Edward Jennings,
Jonathan Jennings.
Allerton,
Maj. Geo. Smithson,
James Danby.
Beverley,
Thomas Strickland,
John Anlaby.
Pontefract,
John lord Lambert,
John Hewley.
CINQUE PORTS.
Hastings,
Samuel Gott,
Nicholas Delves.
Romney,
Sir Rob. Honeywood,
Lambert Godfrey.
Hythe.
Sir Rob. Hales,
William Kenrick.
Dover,
Lieut. col. Kelsey,
John Dixwell.
Sandwich,
Richard Meredith,
James Thurbarne.
Winchelsea,
John Busbridge,
Robert Fowle.
Rye,
Wm. Hay,
Mark Thomas.
Seaford,
Nicholas Meredith,
James Thurbarne.

WALES.

Anglesey,
Col. Geo. Twistleton,
Beaumauris,
Griffith Bodville.
Brecon,
Edmund Jones.
Brecon, T.
Samuel Wightwick.
Cardigan.
Col. James Philips.
Cardigan T.
Col. Roland Dawkins
Carmarthen,
Thomas Hughes.
Carmarthen T.
David Morgan.
Carnarvon,
Wm. Glynn.
Carnarvon T.
Robert Williams.
Denbigh,
Sir John Carter.
Denbigh T.
John Manley.
Flint,
John Trevor.
Glamorgan,
Evan Seys.
Cardiff,
John Price.
Swanzey,
Wm. Foxwist.
Merioneth,
Lewis Owen.
Montgomery,
Edward Vaughan,
Montgomery T.
Charles Lloyd.
Pembroke,
Sir Erasmus Philips.
Pembroke T.
Sampson Lort,
Arthur Owen.
Haverford-West,
John Upton.
Radnor,
Henry Williams.
Radnor T.
Robert Weaver.

SCOTLAND.—*Shires.*
Aberdeen.
Arch. Mar. of Argyle.
Fife and Kinross,
Sir Alex. Gibson.
Perth,
Sir Edward Rhodes.
Inverness.
Col. Thomas Fitch.
Linlithgow, Stirling and Clackmannan,
Col. Adrian Scrope.

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* The question before the house was this: Whether New Malton alone, or Old Malton and New Malton together, ought to elect burgesses. When a Record of 26 Edw. I. and an Order of the House of Dec. 11, 1640, and divers other records and evidences being examined, it was resolved that Old Malton had a joint-right with New Malton to elect and send members to parliament for Malton; and consequently Mr. Howard and Mr. Marwood were duly elected, Col. Lilburn and Mr. Robinson being chosen by New Malton only.—**Commons Journals, March 7, 1658.**

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Dumbarton, Argyle, and Bute,
Wm. Stene.
Lanerk,
Col. Geo. Lockhart.
Mid-Lothian,
Samuel Disbrowe.
Selkirk and Peebles,
Arch. Murray.
Merce,
John Swinton.
Roxborough,
Sir Andrew Ker.
Wigton,
Sir Js. Mac Dowel.
East-Lothian,
J. earl of Tweedale.
Cities and Boroughs.
Edinburgh,
John Thompson.
Bamff, Cullen, and Aberdeen,
Dr. Thomas Clarges.
Linlithgow, &c.
Thomas Waller.
St. Andrews, &c.
Col. Nath. Whetham.
Lanerk, Glasgow, &c.
John Lockhart.
Dumfries, &c.
Maj. Jeremy Tolhurst.
Peebles, Selkirk, &c.
Dr. Thomas Clarges.
Forfar, Dundee, &c.
Laurence Oxburgh.
IRELAND.—*Counties.*
Dublin,
Sir Theop. Jones.
Meath and Louth,
Maj. Ant. Morgan,
Major Wm. Aston.
Kildair and Wicklow,
Dudley Loftus,
Col. Henry Markham.
Wexford, &c.
Maj. Daniel Redman,
Lt. Col. John Brett.
West-Meath, &c.
Fran. lord Aungier,
Sir Henry Peirce.
Down, Atrim, &c.
Sir John Skeffington,
Maj. Geo. Rawden.
Derry, Donegal, and Tyrone,
Col. John Gorges,
Maj. Alex. Staples.
Cavan, &c.
Col. Tho. Coote.
Kerry, &c.
Col. Sir H. Ingoldsby,
Sir Hardress Waller.
Cork,
Sir Maurice Fenton.
Tipperary, and Waterford.
Sir Jerome Sankey,
Thomas Stanley.
Sligo, &c.
Robert Parke,
Thomas Waller.
Galway and Mayo,
Sir Cha. Coote,
Col. Tho. Sadler.
Cities and Towns.
Dublin,
Arthur Annesley.
Carickfergus & Belfast
Lt. Col. J. Duckenfield.
Derry and Colerane,
Ralph King.
Limerick and Kilmallock,
Capt. Geo. Ingoldsby.
Cork and Youghal,
Col. Francis Fowke.
Bandon & Kingsale,
Vincent Gookyn.
Waterford & Clonmel,
Capt. Wm. Halsey.

Jan. 27. According to appointment, the new Lord Protector came to Westminster with the same state and solemnity that his father had done. The commons met in their usual place; and the new Lords took their places in the house of lords.—After all the commons that appeared were sworn, and seated in the house, sir Walter Erle put them in mind that their first work was to chuse a Speaker; and that there was, amongst them, a worthy gentleman of the long robe, whom he conceived was very fitly qualified for that service. He therefore proposed Chaloner Chute, esq. who was fully approved of by the house.—After this, the house adjourned to the next day.

The Protector's Speech at Opening the Session.] There is no mention at all in the Journals of any Speech made to both houses by the Protector at this time; but we are told, by a member of this parliament, that his highness sent the usher of the black rod to summon the Commons to attend him in the Other House, for he had somewhat to speak to them there: that, at this call, not above 12 or 15 members went out of the house, though there were some more that joined them on the way, and appeared before him: and that he made, beyond expectation, a very handsome Speech to them as follows.*

"My lords and gentlemen; I believe there are scarce any of you here, who expected, some months since, to have seen this great assembly, at this time, in this place, in peace; considering the great and unexpected change which it hath pleased the All-disposing Hand of God to make in the midst of us: I can assure you, that if things had been according to our own fears, and the hopes of our enemies, it had not been thus with us: and therefore it will become both you and me, in the first place, (as to reverence and adore the great God, possessor of heaven and earth, in whose hands our breath is, and whose are all our ways, because of his judgments) so to acknowledge him in his goodness to these lands, in that he hath not added sorrow to sorrow, and made the period of his late highness's life, and that of the nation's peace, to have been in one day.—Peace was one of the blessings of my father's government; a mercy after so long a civil war, and in the midst of so great division which that war bred, is not usually afforded, by God, unto a people in so great a measure. The cause of God, and these nations, which he was engaged in, met in all the parts of it, as you well know, with many enemies and great opposition; the archers, privily and openly, sorely grieved him, and shot at him, yet his bow abode in strength, and the arms of his hands were made strong by the hands of the mighty God of Jacob. As to himself; he died full of days, spent in great and sore travail; yet his eyes were not waxed dim, neither was his natural strength abated; as it was said of Moses, He was serviceable even to the last.—As to these nations; he left them in great honour abroad, and in full peace at home: all England, Scotland, and Ireland dwelling safely, every man under his vine, and under his fig-tree, from Dan even to Beersheba. He is gone to rest, and we are entered into his labours; and if the Lord hath still a blessing for these lands, (as I trust he hath) as our peace hath been lengthened out to this day, so shall we go on to reap the fruit, and gather the harvest of what his late highness hath sown, and laid the foundation of.—For my own part, being, by the providence of God and the disposition of the law, my father's successor, and bearing that place in the government that I do, I thought it for the public good to call a parliament of the three nations, now united, and conjoined together into one Com-

* From the original edition, printed by Henry Hills and John Field, Printers to the Lord Protector. Published by his Highness's special Command.

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mon-wealth, under one government. It is agreeable not only to my trust, but to my principles, to govern these nations by the advice of my two houses of parliament: I find it asserted in the Humble Petition and Advice, (which is the corner-stone of this building, and that which I shall adhere to) 'That Parliaments are the great Council of the chief Magistrate, in whose advice both he and these nations may be most safe and happy.' I can assure you I have that esteem of them; and as I have made it the first act of my government to call you together, so I shall further let you see the value I have of you, by the Answers that I shall return to the advice that shall be given me by you, for the good of these nations. You are come up from your several countries, as the heads of your tribes, and with hearts (I persuade myself) to consult together for their good: I can say I meet you with the same desires, having nothing in my design, but the maintenance of the peace, laws, liberties, both civil and Christian, of these nations; which I shall always make the measure and rule of my government, and be ready to spend my life for. We have summoned you up at this time to let you know the state of our affairs, and to have your advice in them: and I believe a parliament was never summoned upon a more important occasion. It is true, as I have told you, we are, through the goodness of God, at this time in peace; but it is not thus with us because we have no enemies: no, there are enough both within us and without us, who would soon put an end to our peace, were it in their power, or should it at any time come into their power. It will be becoming your wisdom to consider of the securing of our peace against those, who, we all know, are, and ever will be, our implacable enemies; what the means of doing this are, I shall refer unto you. This I can assure you, That the armies of England, Scotland, and Ireland, are true and faithful to the peace and good interest of these nations; and it will be found so, and that they are a consistent body, and useful for any good ends; and if they were not the best army in the world, you would have heard of many inconveniences, by reason of the great arrear of pay which is now due unto them, whereby some of them are reduced to great necessities: but you shall have a particular Account of their Arrears, and I doubt not but consideration will be had thereupon, in some speedy and effectual way. And this being matter of Money, I recommend it particularly to the house of commons.—You have, you know, a war with Spain, carried on by the advice of parliament; he is an old enemy, and a potent one, and therefore it will be necessary, both for the honour and safety of these nations, that that war be vigorously prosecuted. Furthermore, the constitution of affairs in all our neighbour countries, and round about us, (as well friends as enemies) is very considerable; and calls upon us to be upon our guard both at land and sea, and to be in a posture able to maintain and conserve our own state and interest. Great and powerful Fleets are preparing to be set forth into these seas, and considerable armies of several nations and kings are now disputing for the mastery of the Sound, with the adjacent Islands and Countries; among which is the emperor of Germany, with other Popish states. I need not tell you of what consequence these things are to this state. We have already interposed in these affairs, in such manner as we found it necessary for the interest of England; and matters are yet in such a condition in those parts, that the state may, with the assistance of God, provide that their differences may not prejudice us.—The other things that are to be said I shall refer to my lord-keeper Fiennes; and close up what I have to say, with only adding two or three particulars to what I have already said. And, 1. I recommend to your care the people of God in these nations, with their concernments: the more they are divided among themselves, the greater prudence should be used to cement them. 2. The good and necessary work of Reformation, both in manners and in the administration of justice, that profaneness may be discountenanced and suppressed, and that righteousness and justice may be executed in the land. 3. I recommend unto you the Protestant Cause abroad, which seems at this time to be in some danger, having great and powerful enemies, and very few friends; and I hope and believe that the old English zeal to that cause is still amongst us. Lastly, my lords, and you gentlemen of the house of commons, That you will, in all your debates, maintain and conserve love and unity among yourselves, that therein you may be the pattern of the nation, who have sent you up in peace, and with their prayers, that the spirit of wisdom and peace may be among you: and this shall also be my prayer for you; and to this let us all add our utmost endeavours for the making this an happy parliament."

The Recognition Bill debated.] Feb. 1. A Bill, intituled, 'An Act of Recognition of his Highness's Right and Title to be Protector, &c.' was this day read the first time. The six succeeding days were wholly taken up in debating this grand point of government, without coming to any conclusion about it: and on the 14th, the Bill was not yet so far carried through, as to come to a commitment. We shall give the whole of this day's proceedings in the very words of the Journal. "The house took into consideration a previous Vote, upon the matter of the debate of the house, before the commitment of the Bill, intituled, 'An Act of Recognition.' The question being propounded, That it be part of this Bill, to recognize and declare his highness Richard Lord Protector, to be the undoubted lord protector and chief magistrate of the Commonwealth. The question was put, That the word 'recognize' should stand in the question, which was carried in the affirmative by 191 against

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168. Then a motion being made, That the word 'undoubted' should stand in the question, it passed in the negative without a division. The question then being propounded, That it be part of this Bill to recognize and declare his highness Richard Lord Protector, to be lord protector and chief magistrate of the Common-wealth, &c. it was agreed to without opposition; and then it was farther resolved, That, before this Bill be committed, this house do declare such additional Clauses to be part of the Bill, as may bound the power of the chief magistrate, and fully secure the rights and privileges of parliament, and the liberties and rights of the people; and that neither this, nor any other previous Vote, that is or shall be passed, in order to this Bill, shall be of force, or binding to the people, until the whole Bill be passed."

Feb. 18. We have yet met with no mention of the Other House in the Journals of the Commons, till this day, when a question was proposed in that house, That they should proceed to determine the power of the Negative Voice, in the Chief Magistrate, in the passing of laws, before the constitution of the parliament, as to two houses, be first resolved on. On this question the house divided, when the numbers were found to be 86 yeas, and 217 noes; whereupon it was resolved, That the house do take into consideration the Constitution of the Parliament, as to two Houses, the first business the next morning, and nothing else to intervene.

Feb. 19. The house went upon that affair; and, after much debate, they came to two Resolutions: 1. "That it shall be part of this Bill to declare the parliament to consist of two Houses. 2. That the bounds and power of another House, in relation to the former Vote, shall be taken into consideration on the 22nd."

Feb. 22. The house went into a debate, of the Bounds and Power of another House, and continued in it all this day, without coming to any other Resolution, than to order the debate to be adjourned to the 24th.

Feb. 23. The debate on Secretary Thurloe's Report, on the State of Foreign Affairs, was entered into, and this Resolution made upon it, "That a very considerable Navy be forthwith provided and put to sea, for the Safety of this Commonwealth, and the preservation of the trade and commerce thereof."

March 1. A Question was propounded, Whether it should be the matter of debate on the next morning, that this house will transact with the Persons now sitting in the Other House, as an House of Parliament? the house divided, and it was carried in the affirmative, by 177 against 113.—The house continued in this debate every day they sat, to the 8th instant; when a further Question was proposed, by way of Addition to the other, viz. "And that it is not hereby intended to exclude such Peers as have been faithful to the parliament, from their privilege of being duly summoned to be members of that house;" another division happened on this, and was carried, affirmatively, by 195 against 188; the greatest number, and the nearest division, we have yet met with in this parliament.

A New Speaker chosen.] March 9. Mr. Speaker, being in the chair, and very much indisposed in his health, acquainted the house, That he came to the chair with a great desire to serve the house; but their sittings had been so extraordinary, and their business such, and so requiring it, that he was utterly disabled to serve them, as he would, for the present: that it was a great grief of mind to him to retard the public business, though but for one half hour, or more, as it had been this morning; that he found himself grow weaker and weaker, and therefore humbly prayed he might be totally discharged; or otherwise that he might have so much respite, at least, granted to him, as that, by the blessing of God, he might recover some better measure of health, and be enabled to return again to their service: whereupon, by the leave of the house, he left the Chair, and went home to his own house; and the serjeant attended him with the mace, out of the house, to his coach; and afterwards brought the mace back, and placed it below, under the table.—The members of the house, sitting in their places, considering of appointing another of their members to take the Chair, and supply the Speaker's place during his absence, by reason of his indisposition of health; and sir Lislebone Long, knt. recorder of London, being first named, by the general consent of the house was called, and brought to the Chair by sir Walter St. John and Mr. Gerard; and being there placed, and set in the Chair, and the mace placed on the table by the Serjeant, as is usual, it was ordered, "That in respect of Mr. Speaker's present indisposition of body, and at his earnest request, sir Lislebone Long be desired to supply the Speaker's place during his absence, occasioned by his present indisposition of health, and no longer."

March 18. Mr. Chute, the Speaker, continuing still so indisposed that he was unable to serve, the house sent a deputation of their members to visit him; which, Mr. Whitlocke says, was a very great honour to him. The Answer returned was, That Mr. Chute was still so infirm, that he could not attend the serving of the house; and sir Lislebone Long, who was chosen to execute the office for him, being actually dead, the house was obliged to go to another election, when Thomas Bampfield, esq. was unanimously agreed upon to succeed him; and Chaloner Chute, esq. dying also soon after, the other continued Speaker to the end of this parliament.

The Bill for transacting Business with the Other House carried.] March 28. The house resumed the debate on the Question of transacting with the Persons now sitting in the Other House, and the Additions to that Question. This debate lasted the whole day, and

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two divisions of the house were made before the main question was put. The main question being at last put, the house divided upon it; when it was carried for the Question, 198 to 125: so it was resolved, &c. "That this house will transact with the Persons now sitting in the Other House, as an House of Parliament, during this present parliament; and that it is not hereby intended to exclude such peers, as have been faithful to the parliament, from their privilege of being duly summoned to be members of that House."

March 31. This day was read a 2nd time, 'A Bill for taking away all Laws, Statutes, and Ordinances, concerning the Excise and new Impost, after years, and concerning Customs, Tonnage, and Poundage, after months, after the death of his highness the now Lord Protector.'

April 2. A Declaration for a public Fast was ordered to be drawn, by a committee appointed for that purpose, and this day it was brought and read in the house, paragraph by paragraph; and, with some additions and alterations, was consented to.

April 6. A debate arose in the commons, about the manner of transacting business with the Other House; when they came to a Resolution to appoint a Committee to consider and report their opinion of this matter: but, the same day the house, on the question, resolved, "That, in all Messages unto, and Conferences with, the Other House, the like respect, and no other, be observed by the members of this house, that is observed by the persons sitting in the Other House to them."

April 8. Sir Walter Erle reported from the committee, to whom it was referred to consider of the manner of transacting with the Other House, the Resolutions of the said committee. The first of which was, "That such Messages as shall be sent from this house to the Other House, shall be carried by members of this house." Hereupon, a debate arose, and it being put to the question, the house divided, and it went in the affirmative, 136 against 102. The second Vote, now reported from the committee, was, "That such Messages as shall be sent from the Other House to this house shall not be received, unless brought by members of their own number." This occasioned another division, and was carried also in the affirmative; but on a much nearer division than any we have met with in this parliament, being only by 122 against 114.

The Army's Petition to the Protector.] This day, a Letter from the Lord Protector directed 'To our trusty and right well-beloved Thomas Bampfield, esq. Speaker of our House of Commons, to be communicated to the house.' Signed, at the head, 'Richard P.' and dated April 8, 1659, was this day read in the house. The Journals only add, That, in the said Letter, his highness represented to the parliament the Humble Representation and Petition of the General Council of the Officers of the Armies of England, Scotland, and Ireland, which was also read.—Mr. Whitlocke says, that this Petition was the beginning of Richard's fall. It was, as the same Author informs us, to set forth, "Their Want of Pay, the Insolencies of the Enemy, and their Designs, together with some in power, to ruin the Army and the Good Old Cause, and to bring in the enemies thereof; to prevent which, and to provide against Free Quarter, they desired his highness to advise with the parliament, and to provide an effectual Remedy." Mr. Whitlocke adds, "That this beginning was set on foot by Richard's near relations, Desborough, who married his aunt, and Fleetwood, who married his sister, with others of their party, whilst the parliament was disputing with the Other House, and took no care to provide Money, which exasperated the Army, and laid the foundation of all their ruins."—Mr. Ludlow tells us, "That these divisions were not confined within the walls of both houses, but broke out in the Army itself; the officers growing jealous of one another, and were divided into three factions, neither of these much superior in number; that one party was known to be well affected to the Commonwealth, and consisted chiefly of the following officers, viz. col. Ashfield, col. Lilburn, col. Fitz. lieut. col. Mason, lieut col. Moss, lieut. col. Farley, and major Creed, with divers captains, and other inferior Officers. A second Party was known by the title of the Wallingford-House, or Army-Party, who had advanced Mr. Richard Cromwell, in expectation of governing all as they pleased: of these were lieut. gen. Fleetwood, col. Desborough, col. Sydenham, col. Clark, col. Kelsey, col. Berry, major Haines, treasurer Blackwell, and some others. The third Party was that of Mr. Richard Cromwell; who, having cast off those that had taken the pains to advance him, joined himself to men that were more suitable to his inclinations; such were col. Ingoldsby, col. Gough, col. Whaley, col. Howard, col. Goodrick, lieut. col. Keins, with many others, and more particularly those that were officers in the Scots and Irish forces: but his Cabinet Council were the lord Broghill, Dr. Wilkins, and col. Philip Jones." To these he might have added Mr. Whitlocke; who, as he himself writes, "was of this Cabinet Council, and always declared his judgment honestly, and for the good of Richard, whenever his advice was required."

April 15. The house being informed, That Mr. Chaloner Chute, who, at the first meeting of the parliament, was chosen their Speaker, was dead, Mr. Thomas Bampfield, who had been called to the chair to supply the Speaker's place, during the absence and indisposition of Mr. Chute, was appointed to that office.

The Parliament vote that there shall be no General Council of Officers without the Protector's consent.] April 18. This day the house ordered their doors to be shut, and none of the members suffered to go out without leave. A question was then proposed and put, "That, during the sitting of the parliament, there shall be no General Council, or Meet-

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ings, of the Officers of the Army, without the direction, leave, and authority, of the Lord Protector and both houses of parliament." On this question the house divided, and it was carried in the affirmative, 163 to 87. Another Resolution was also agreed to, without any division, "That no person shall have, or continue, any command or trust, in any of the Armies or Navies of England, Scotland, or Ireland, or any the dominions or territories thereunto belonging, who shall refuse to subscribe, That he will not disturb, nor interrupt, the free Meetings in Parliament, of any the members of either house of parliament, or the freedom in their debates and counsels." Resolved, also, "That the Concurrence of the Other House be desired to these Votes; and that Mr. Stephens do carry them to that house."—"The above Votes," says Mr. Hume, "brought affairs immediately to a rupture. The Officers of the Army hastened to the Protector, and demanded of him the Dissolution of the parliament. Desborough, a man of a clownish and brutal nature, threatened him, if he should refuse compliance. The Protector wanted the resolution to deny, and possessed little ability to resist." Accordingly, the parliament was dissolved four days after, as will be seen immediately.

April 19. Mr. Stephens reported the Answer from the Other House to the above Votes, "That they would take the same into consideration, and return an Answer by messengers of their own." But no Answer to any of these matters ever came from them.

The Lord Protector dissolves the Parliament.] April 22. After appointing a committee to attend his highness to desire him to pay Mr. Cowper, their minister, 50*l.* for his great labour and pains in performing the duty of Prayer daily in the house, since the meeting of this parliament, the house seems to have been in a great bustle. But what is said of it in the Journals is only this, "That the house taking notice, that some of their members went out of the house, it was ordered, That those gentlemen, who now went out, should be called in again to give their attendance in the house. Also, That none of the members do depart without leave of the house; and that all strangers be commanded, forthwith, to depart out of the lobby, or outward room, before the parliament door; and that none but such as are members be suffered to come in, and the door of the said outward room be kept shut. Lastly, it was resolved, That this house be adjourned until Monday next, the 25th instant; and was adjourned accordingly."—In the mean time, a Proclamation was issued on the 22d, by the Lord Protector for their Dissolution; and by the same act, he was, by every one, considered as effectually dethroned. Soon after, he signed his dismission in form.

The LONG PARLIAMENT *or* RUMP *restored.*] "Thus," writes Mr. Hume, "fell suddenly, and from an enormous height, but by a rare fortune, without any hurt or injury, the family of the Cromwells. Richard, continued to possess an estate which was moderate, and burthened too with a large debt which he had contracted for the interment of his father. He extended his peaceful and quiet life to an extreme old age, and died not till the latter end of queen Anne's reign. The Council of Officers, now possessed of supreme authority, deliberated what form of Government they should establish. Many of them seemed inclined to exercise the power of the sword in the most open manner; but as it was apprehended that the people would with great difficulty be induced to pay taxes, levied by arbitrary will and pleasure; it was agreed to preserve the shadow of civil administration, and to revive the Long Parliament, which had been expelled by Cromwell. That Assembly could not be dissolved, it was asserted, but by their own consent; and violence had interrupted, but was not able to destroy, their right to government. The Officers also expected that, as these members had sufficiently felt their own weakness, they would be contented to act in subordination to the military commanders, and would thenceforth allow all the authority to remain where the power was so visibly vested. The Officers applied to Lenthall the Speaker, and proposed to him, that the parliament should resume their seats. Lenthall was a low, timid spirit; and being uncertain what issue might attend these measures, was desirous of evading the proposal. He replied, that he could by no means comply with the desire of the Officers; being engaged in a business of far greater importance to himself, which he could not omit on any account, because it concerned the salvation of his own soul. The Officers pressed him to tell what it might be. He was preparing, he said, to participate of the Lord's Supper, which he resolved to take next Sabbath. They insisted, that mercy was preferable to sacrifice, and that he could not better prepare himself for that great duty, than by contributing to the public service. All their remonstrances had no effect. However, on the appointed day, the Speaker, being informed that a quorum of the house was likely to meet, thought proper, notwithstanding the salvation of his soul, as Ludlow observes, to join them; and the house immediately proceeded upon business."

The Army's Declaration.] But, the day before the old members went to take their places in the house, the following Declaration was published, called

A DECLARATION of the Officers of the Army inviting the Members of the Long Parliament, who continued sitting till the 20th of April, 1653, to return to the Exercise and Discharge of their Trust.*

"The public concernments of this Commonwealth being, through a vicissitude of dangers, deliverances, and backslidings of many, brought into that state and posture wherein they now stand; and ourselves also contributing there-

* London, printed by Henry Hills, for him and William Mountford, 1659.

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unto, by wandering divers ways from righteous and equal paths; and although there hath been many essays to obviate the dangers, and to settle these nations in peace and prosperity, yet all have proved ineffectual; the only wise God, in the course of his providence, disappointing all endeavours therein: And also observing, to our great grief, that the good spirit which formerly appeared amongst us, in the carrying on of this great work, did daily decline, so as the Good Old Cause itself became a reproach; we have been led to look back, and examine the cause of the Lord's withdrawing his wonted presence from us, and where we turned out of the way, that, through mercy, we might return and give him the glory.—And, amongst other things, calling to mind, that the Long Parliament, consisting of the members which continued there sitting until the 20th of April, 1653, were eminent asserters of that Cause, and had a special presence of God with them, and were signally blessed in that work, (the desires of many good people concurring with ours therein) we judge it our duty to invite the aforesaid Members to return to the exercise and discharge of their trust, as before the said 20th of April, 1653. And therefore we do hereby most earnestly desire the Parliament, consisting of those Members who continued to sit since the year 1648, until the 20th of April, 1653, to return to the exercise and discharge of their trust, and we shall be ready, in our places, to yield them, as becomes us, our utmost assistance to sit in safety; for the improving the present opportunity for settling and securing the peace and freedom of this Commonwealth; praying for the presence and blessing of God upon their endeavours. Signed, by Direction of the lord Fleetwood and the Council of Officers of the Army, THO. SANDFORD, Sec. May 6, 1659." Which Declaration was this day presented to the Speaker by lords Lambert, lord Berry, and Cooper, sir A. Haslerig, major gen. Lilburne, col. Ashfield, col. Salmon, sir Jeremy Sankey, maj.-gen. Kelsey, col. Okey, cap. Blackwell, maj. gen Haynes, lieut. col. Allen, maj. Packer, lieut. col. Pierson.

List of the Rump-Parliament.] Before we begin with the Proceedings of this rump of a Parliament, we shall present the reader with a List of its members; viz.

Ash, James	Dixwell, Mr.
Atkins, Alderman	Dove, John
Ayre, William	Downes, Mr.
Baker, Mr.	Ellis, William
Bennet, col.	Fielder, Mr.
Bingham, col.	Fell, Mr.
Blagrave, Daniel	Fleetwood, col. Chas.
Brewster, Mr.	Garland, Augustin
Cawly, William	Gould, Mr.
Chaloner, Thomas	Goodwin, John
Cecil, Mr. the self-degraded e. of Salisbury	Goodwin, Robert
Cecil, Robert his son,	Gurdon, John
Corbet, John	Hallowes, Mr.
Darley, Henry	Harrington, sir J.
Darley, Richard	Harvy, col.
	Haslerig, sir Arthur
Hayes, Mr.	Prideaux, Edmund
Herbert, Mr. the self-degraded earl of Pembroke	Purefoy, William
	Pury, Thomas
Hill, Roger	Reynolds, Robert
Holland, Cornelius	Rich, col.
Hutchinson, col.	Robinson, Luke
Ingoldsby, col.	St. John Oliver
Jones, Philip	Salway, major
Leachmere, Mr.	Say, Mr.
Lenthall, Will. Speaker	Scott, Thomas
Lenthall, John, his son	Skippon, major-gen.
Lisle, John	Skinner, Augustin
Lisle, viscount Philip	Smith, Mr.
Lister, Thomas	Strickland, Walter
Love, Nicholas	Sydenham, col.
Ludlow, col.	Temple, James
Martin, Henry, a prisoner in execution.	Temple, col.
	Thompson, col.
Mayne, Mr.	Thorpe, serjeant
Mildmay, sir Henry	Trencher, John
Millington, Gilbert	Trevor, sir John
Morley, col. Herbert	Vane, sir Henry
Monson. lord visc. a prisoner in execution.	Wallop, Mr.
	Walsingham, sir Tho.
Nevil, Henry	Walton, col.
Nicholas, Robert	Wentworth, sir Peter
Oldsworth, Michael	Weaver, Edmund
Palmer, Mr.	White, Mr.
Pennington, Alderman	Wilde, serjeant
Pickering, sir Gilbert	Witherington, sir Tho.
Pine, John	Wroth, sir Thomas
	The total Number 91.*

May 7. The Journals of this house of commons now begin without any preamble, and without taking any notice of the last breaking up: after appointing Henry Middleton, esq. their serjeant at arms, and John Phelpes, esq. their clerk of parliament, the Speaker acquainted the house, "That the lord Lambert, with divers Officers of the Army, in the name of the lord Fleetwood, and Council of Officers, upon the 6th of May, 1659, came unto him, many of the members being then present, and delivered unto him a Declaration, which was then read in the presence of the said members: the said Declaration the Speaker now tendered; which was read, as before given at p. 1546. After this, a Committee of 5 members was ordered to prepare a Declaration, to the present purpose, upon the former from the Army. Like-

* Mr. Prynne says, "That of these members, there entered only 42 into the house at first; that the rest came in to them by degrees, either to keep their old preferments, gain new, or regain the places they had formerly lost, especially the lawyers; who, notwithstanding their former compliances, were turned quite out of office, and dis-judged: that 8, or more of them, came in by new writs, issued in the name of the Keepers of the Liberties of England, after the king's beheading, and were no members of the Long Parliament; that there were never 160 of them together in the house at once whilst they sat, and but 97 on the 11th and 12th of Oct. last, upon the great debate between them and the Army Officers."

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wise, another committee of 12, was appointed to peruse the Books, and other Records of Parliament, concerning the members of this house, who sat since Jan. 30, 1648, until April 20, 1653, and are not excluded by judgment of parliament, and to give this house an account of the said members. The following Letter was also agreed upon, to be signed by the Speaker, and sent to the several Members that are absent.—"Sir; The parliament of this Commonwealth being, by God's blessing, now again restored to the freedom and right of sitting, where they were interrupted on the 20th of April, 1653, have commanded me to give you speedy notice thereof, to require your personal attendance forthwith, for the carrying on the great work expected from them, in settling and securing the peace and freedom of this Commonwealth, according to your duty in that behalf. Your loving Friend."

The Parliament's Declaration.] The committee, according to order, brought in a draught of a Declaration, concerning the wonderful providence of God, in restoring this present parliament to the exercise and discharge of their trust; which was agreed to as follows:

A DECLARATION of the Parliament assembled at Westminster.

"Whereas the Parliament of this Commonwealth having, through the eminent favour and mercy of God, sat many years in the performance of the trusts reposed in them by the people whose representatives they are; and being, in the prosecution of that duty, assembled in parliament, at Westminster, upon the 20th of April, 1653, were then interrupted, and forced out of the house from that time until this present day. And whereas the Officers of the Army raised by this present parliament, calling to mind that the same parliament, consisting of the members which continued to sit until the 20th of April, 1653, were assertors of the Good Old Cause, and had a special presence of God with them, and were signally blessed in that work; did adjudge it their duty (the desires of many good people concurring with them therein) to invite the aforesaid members to return to the exercise and discharge of their trusts, as before the said 20th of April, 1653. And for the effecting thereof, the lord Lambert, with divers other Officers of the Army, in the name of the lord Fleetwood and Council of Officers of the Army, did, upon the 6th of May, 1659, resort unto the Speaker of the said Parliament; and, in the presence of many of the said members of parliament, presented a Declaration, containing their earnest desire, that the parliament, consisting of those members, who continued to sit since the year 1648, until the 20th of April 1653, would return to the exercise and discharge of their trust; promising their readiness in their places, as became them, to yield their utmost assistance to them, to sit in safety, for improving the present opportunity for settling and securing the peace and freedom of this Commonwealth; praying for the presence and blessing of God upon their endeavours.—Whereupon the Speaker, with the aforesaid members of parliament, resolved to meet at Westminster the next morning, give notice to others of their fellow-members of such their intention. And accordingly the Speaker, with the said members, being assembled at Westminster the 7th of May, 1659, found it a duty incumbent on them not to neglect this opportunity, which the wonderful, and, as they hope, the gracious providence of God, hath held forth unto them, for the prosecution of what yet remains of their great trust.—All which the parliament taking into their consideration, do declare, That they are resolved, through the gracious assistance of Almighty God, to apply themselves to the faithful discharge of the trust reposed in them, and to endeavour the Settlement of this Commonwealth upon such a foundation, as may assert, establish, and secure the property and the liberties of the people, in reference unto all, both as men, and as Christians; and that without a Single Person, Kingship, or House of Peers: and shall vigorously endeavour the carrying on of reformation so much desired, and so often declared for; to the end there may be a godly and faithful magistracy and ministry upheld and maintained in these nations, to the glory and praise of our Lord Jesus Christ, and to the reviving and making glad the hearts of the upright in the land."

A Committee of Safety appointed.] They next proceeded to constitute a Committee of Safety, pro tempore, which were the lord Fleetwood, sir A. Haslerig, sir H. Vane, lieut. gen. Ludlow, col. Sydenham, major Salway, and col. John Jones, with full power to take especial and effectual care to preserve the peace and safety of this Commonwealth; and that all officers, soldiers, and ministers of justice, give due obedience to the Orders of this committee. To sit at such time and places as they, in their discretion, shall think fit; and are to continue for the space of 8 days, and no longer.—Lastly, it was ordered, That the parliament meet to-morrow morning, being Sunday, in that place, to seek the Lord for his guidance and blessing on the parliament and their proceedings; and that Dr. Owen be desired to be assistant in carrying on the duty of the day.

May 9. Major Salway reported from the Committee of Safety, "That they have received good intelligence, That Charles Stuart intends a speedy invasion, having for that purpose 1300 men, already on their march, 500 of which are come to Bruges: and that there are lately come over from Flanders into England very many of Charles Stuart's party, several of which are excepted from pardon; and that there were endeavours used to draw over some of the Army of this Commonwealth to theirs. They desired also, that Lambert, Desborough, and col. Bury, might be added to their committee; which was granted." It was ordered also, That such persons, heretofore members

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of this parliament, as have not sat in this parliament since the year 1648, and have not subscribed the Engagement, in the Roll of the Engagement of this house, shall not sit in this house till further order of parliament.

Letters from general Monk in Scotland, and from the Army, in Ireland, were read; giving an account that the Armies in both places were in great peace and quietness, and were well pleased with the present alterations in the State.—A new Great Seal was ordered to be made, and a Committee appointed to inspect into the Treasuries of the Commonwealth, and the public Revenue.

May 10. Two Petitions were presented to the house, one from the city of London, and the other from Southwark: they were ushered in by formal speeches, congratulating the parliament's return to power, and testifying their affections to the Good Old Cause.—On this day the Secluded Members made another ineffectual attempt to resume their seats in the house.

May 11. Upon report from the Committee of Safety, of renewed information given them of endeavours, by disaffected persons, to raise disturbance in several parts of the nation, it was first ordered, "That the said committee do take care for searching, seizing, and securing such persons, and their horses and arms, for the preventing of the present danger, and security of the Commonwealth" Auxiliary Forces were also ordered to be raised, and a Militia constituted in each county, and arms to be put into such hands as had given testimony of their faithfulness to the parliament and Commonwealth.

A Petition from the Army to the House.] May 13. The house being informed that there were divers Officers of the Army at the door, they were called in. Whereupon general Lambert, col. Desborough, and divers other colonels and officers of the Army, being come to the bar, Lambert expressed himself thus:

"Mr. Speaker; We are commanded by the Officers of the Army, to present before you their Humble Petition and Address. There are several things contained in it, which have been a long time upon their hands, and no visible way of redress. Finding, to their great joy and satisfaction, that you are returned, in discharge of their trust, they thought fit not to neglect this opportunity, but have commanded us to present this Petition."

He then exhibited a Petition, which, when the Officers were withdrawn, was read; and, being called in again, the Speaker, by direction of the house, gave them the following Answer:

"I am commanded by the house to tell you, That they have read your Petition, the Petition and Address that you have made here to us: they have commanded me likewise to tell you, That, as they found your affections before they came hither, so they find that affection continuing. For the things contained in the Petition, they are things of great weight; and many more things of great weight are lying before the house. And it is concerning that Settlement, for which the Divine Providence of God hath brought us hither, who, we hope, shall never depart from us. The house find in your Advice much love and affection; and have commanded me to acknowledge that love and affection you have shewn, and to give you thanks, very hearty thanks, for your love and expressions of it: and accordingly, in their name, I do give you very hearty thanks."

There is no further notice taken of this Petition in the Journals. It was as follows:

The Humble PETITION and ADDRESS of the Officers of the Army, to the Parliament of the Commonwealth of England, &c.

"Calling to mind the former Declarations of parliament, and the Grounds therein inviting us to take up arms, and those many signal providences wherein the Lord hath owned you and your forces both by sea and land, in asserting that righteous Cause, wherein the civil and religious liberties of the people of these nations were involved, so as all open opposition was beaten down before you: and likewise weighing with ourselves, how, in the several late changes in government, that public spirit which appeared in that work hath since that time been discouraged, and another raised up, drawing back to the same things you had contended against, even to the hazarding the essentials of that cause; we did, upon serious thoughts of heart, think it our duty once more to appear against those backsliding ways; and providence having brought the state of affairs to the condition they were in some few days before your sitting, we found it necessary to assert, amongst ourselves, some of the fundamentals of our Good Old Cause, with some other things conducing to the preservation thereof, with a full and fixed resolution, through the assistance of God, effectually, even to the hazard of our lives, to endeavour the recovery and security of the same. And the same good providence holding forth an opportunity to us, to open unto you a way for the further discharge of your remaining trust in parliament, we did, by our Declaration of the 6th of this instant May, humbly desire you would be pleased to return to the exercise and discharge thereof, as before the 20th of April 1653.—And having, to our great rejoicing, seen your Declaration of the 7th instant, shewing, That you are resolved, through the gracious assistance of Almighty God, to apply yourselves to the faithful discharge of the trust reposed in you, and to endeavour the Settlement of this Commonwealth upon such a foundation as may assert, establish, and secure, the liberties of the people, in reference unto all, both as men and Christians, and that without a single person, kingship, or house of peers, resolving vigorously to endeavour the carrying on the work of reformation, so much desired, and so often declared for, to the end there may be a godly and faithful magistracy

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and ministry upheld and maintained in these nations; which so fully answers what our hearts were drawn forth to desire, that we could not any longer forbear to express our thankfulness for this door of hope, again opened towards the obtaining a consummation of those things, so much breathed after by the good people of this Commonwealth. And however we find ourselves, in some measure, prevented, by the late Declaration and Resolves of this parliament; yet, nevertheless, we have judged it our duty to represent what was chiefly and unanimously upon our hearts, when we engaged in that which made way for your return, which we humbly, as becomes us, lay before you.—I. That the liberty of the persons, and property of the estates, of all the free people of these nations, be maintained, preserved, and kept inviolable, according to law, under the Government of a Free State and Commonwealth, without a single person, kingship, or house of peers. II. That there may be such a just and due regulation of law, and courts of justice and equity, as that they may be a protection, and not vexatious or oppressive, to the people of these nations. III. That, by an Act of Oblivion, all and every person and persons, who have, since the 19th of April 1653, mediately or immediately, advised, acted, or done, or commanded or appointed to be acted or done, or by command or appointment, have acted or done any matter or thing whatsoever, in reference to the several changes or alterations in the government of these nations, since the said 19th of April 1653, or in order to the public service, peace, or safety of these nations, be indemnified and saved harmless to all intents and purposes whatsoever. IV. That all laws, ordinances, orders, declarations, and establishments made in the several changes and alterations of government that have been in these nations, since the 19th of April aforesaid, and not as yet particularly repealed, be deemed good in law, until particularly repealed. V. That such debts as have been contracted for the public service and affairs of this Commonwealth, and for the Charges of the Government, since the 20th of April, 1653, be carefully paid and satisfied. VI. That all persons who profess faith in God the Father, and in Jesus Christ, his eternal son, the true God, and in the Holy Spirit God co-equal with the Father and the Son, one God blessed for ever, and do acknowledge the Holy Scriptures, of the Old and New Testament, to be the revealed or written word or will of God, shall not be restrained from their profession, but have due encouragement and equal protection in the profession of their faith, and exercise of religion, whilst they abuse not this liberty to the civil injury of others, or disturbance of others in their way of worship; so that this liberty be not extended to popery or prelacy, nor to such as shall practise or hold forth licentiousness or profaneness, under the profession of religion: and that all laws, statutes, ordinances, and clauses in any laws, statutes, or ordinances to the contrary, may be declared null and void. VII. That a godly, faithful, and painful Gospel-preaching Ministry be every where encouraged, countenanced, and maintained. VIII. That the Universities and Schools of learning be so countenanced and reformed, as that they may become the nurseries of piety and learning. IX. That such persons as have, at any time, since the 20th of May, 1642, aided, or assisted, or adhered to the late king, Charles Stuart, his son, or any other person or persons whatsoever of that party, against the parliament or Commonwealth of England; and all other persons whatsoever, that have made use of any authority or power, under pretence of law or otherwise, to deprive or abridge any of the good people of these nations of their Christian liberty, or have, or shall express themselves in any way mockers, scoffers, or revilers of godliness, or of the professors thereof, or are otherwise scandalous, or loose in their conversations, or have not given good satisfaction of their affection and faithfulness to this cause, may be speedily removed out of all places of power or trust in the magistracy, or other management of the public affairs of these nations; and that no such persons may be admitted unto any such place of power or trust for the future. X. And forasmuch as no godly or other good interest can be preserved or maintained, unless the persons, who are chiefly intrusted with the management and exercise of Government, be of suitable spirits to those interests; that those who are or shall be intrusted therein, be such persons as shall be found to be most eminent for godliness, faithfulness, and constancy, to the good Cause and interests of these nations. XI. That to the end the legislative authority of this Commonwealth may not, by their long sitting, become burthensome or inconvenient, there may be effectual provision made for a due succession thereof. XII. And for the better satisfaction and more firm union of the Forces of this Commonwealth, in this juncture of affairs, for preserving and maintaining the principles, and other matters thereunto subservient, we do unanimously acknowledge and own the lord Charles Fleetwood, lieutenant-general of the Army, to be commander in chief of the land-forces of this Commonwealth. XIII. That, in order to the establishing and securing the peace, welfare, and freedom of the people of these nations, for the ends before expressed, the legislative power thereof may be in a Representative of the people, consisting of a house, successively chosen by the people, in such way and manner as this parliament shall judge meet, and of a select senate, co-ordinate in power, of able and faithful persons eminent for godliness, and such as continue adhering to this cause. XIV. That the administration of the executive power of government may be in a Council of State, consisting of a convenient number of persons, qualified in all respects as aforesaid. XV. That all Debts, contracted

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by his late highness, or his father, since the 15th of Dec. 1653, may be satisfied; and that an honourable Revenue of 10,000*l.* per annum, with a convenient house, may be settled upon him and his heirs for ever; and 10,000*l.* per annum more upon him during life; and upon his honourable mother 8000*l.* per annum during her life; to the end a mark of the high esteem this nation hath of the good service done by his father, our ever-renowned general, may remain to posterity.—These having been the thoughts and desires of our hearts, unanimously agreed upon before your returning to sit, and finding the spirits of divers of the honest faithful people of this commonwealth led forth for the same things, and yourselves, by your late Declaration and Resolutions, in a great measure assisting them, we thought it our duty to the nations, to you, and to the honest people, humbly to present these; and beg the blessing and presence of the Lord with you, in the prosecution and bringing forth such a Settlement as may be for the honour of God, the union, joy and rejoicing of all the peaceable people of this Commonwealth. And we shall pray, &c. Signed in the Name, and by the Appointment, of the Council of Officers, the 12th of May, 1659. THO. SANDEFORD, Secretary."—Presented to the parliament by lord Lambert, lord Desborough, cols. Bury, Hewson, Barkstead, Lilburne, Cooper, Hacker, Okey, Sankey, Ashfield, maj. gen. Kelsey, cols. Prittie, Salmon, Clarke, Fitch, lieut. col. Mosse, lieut. col. Mason.

A New Council of State appointed.] May 13. The Bill for constituting the new Council of State, was read a first time; and it was resolved, "That the time for the continuance of the Council of State be till the 1st Dec.; and that the number of them consist of 31." But a question being proposed, That ten of the said number be of persons that are not members of parliament; the house divided, and it was carried in the affirmative, 25 against 19. And Thos. lord Fairfax, maj. gen. Lambert, col. Desborough, J. Bury, John Bradshaw, sir Anth. Ashley Cooper, and sir Horatio Townsend, were immediately named of this number: the other 3 were reserved for a general ballot, which was ordered to be got ready against next day.

May 14. The house proceeded in the election of the 21 to be chosen of the members of the house, and of the remaining 3 of the ten, to be chosen of those out of the house, to be of the Council of State. All the names being read, Mr. Raleigh, sir A. Haslerig, Mr. Scott, and col. Sydney, reported, That there are, in the said Papers, these 21 persons, who have the greatest number of subscriptions; viz. sir A. Haslerig, sir H. Vane, lieut. gen. Ludlow, lieut. gen. Fleetwood, maj. Salway, col. Morley, Mr. Scott, Mr. Wallop, sir J. Harrington, col. Wanton, col. Jones, col. Sydenham, col. Sydney, Mr. Nevill, Mr. Chaloner, col. Downes, lord chief justice St. John, col. Thompson, lord commissioner Whitlocke, col. Dixwell, and Mr. Reynolds. And the Question being put upon every one of them distinctly, they were all confirmed by the house; and so the former Committee of Safety was dissolved. Two days after, the lord Warriston, sir Rob. Honeywood, and Mr. Barners, were elected, by ballot, to make up the number ten, of those who were not members of this parliament.

A New Great Seal ordered.] May 14. The late Great Seal, made by Oliver, was brought into the house and broken; and a Bill for establishing a new one was passed. The Speaker, was made keeper of it for 8 days only.

May 16. Ordered, That Whitehall and Somerset-House, with all their appurtenances, be forthwith exposed to Sale for the advantage of the Commonwealth, and towards the satisfaction of the great Arrears of Pay due to the Army.

This day, a Committee was appointed to take into consideration the present condition of the eldest son of the late lord-general Cromwell; and to inform themselves what his Estate is, and what his Debts are, and how they had been contracted: likewise, how far he doth acquiesce in the Government of this Commonwealth, as it is now declared by parliament.

May 18. A congratulatory Letter from general Monk, and other Officers of the Army in Scotland, was read; when it was ordered, "That the Council of State should prepare a Letter of good acceptance and thanks from this house, to be signed by the Speaker, in Answer to the said Letter.

May 21. The business of the Army's Petition and Representation was debated, and every Article of it agreed to, except the 9th, 13th, 14th, and 15th, which were referred to a grand committee of the whole house.

Richard Cromwell's Acquiescence in the present Government.] May 25. Sir Gilbert Pickering reported, That he and the lord chief justice St. John did, according to the command of this house, repair to the eldest son of the late lord-general Cromwell, and acquaint him with the sense of this house touching his subscribing a Paper sent by him to the committee, formerly appointed to communicate to him a Declaration and Order of this house: and that he did thereupon, in their presence, sign the said Paper with his name, which was as follows:

"I have perused the Resolve and Declaration, which you were pleased to deliver to me the other night; and, for your information touching what is mentioned in the said resolve, I have caused a true State of my Debts to be transcribed, and annexed to this Paper; which will shew what they are, and how they were contracted. As to that part of the Resolve whereby the committee are to inform themselves how far I do acquiesce in the Government of this Commonwealth, as it is declared by this parliament, I trust my past carriage hitherto hath manifested my acquiescence in

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the will and disposition of God; and that I love and value the peace of this Commonwealth much above my own concernments: and I desire that by this a measure of my future deportment may be taken; which, through the assistance of God, shall be such as shall bear the same witness; having, I hope, in some degree, learned rather to reverence and submit to the hand of God, than to be unquiet under it: and, as to the late providences that have fallen out amongst us, however, in respect of the particular engagements that lay upon me, I could not be active in making a change in the government of these nations; yet, through the goodness of God, I can freely acquiesce in it, being made; and do hold myself obliged (as, with other men, I expect protection from the present government) so to demean myself with all peaceableness under it, and to procure, to the uttermost of my power, that all in whom I have any interest do the same. RICHARD CROMWELL."

By the Schedule annexed it appeared, that, on the death of Oliver, his father, there was due unto several persons 28,000*l.* which he had reduced to 23,550*l.* but that there had been advanced for Cloathing of the Soldiers, out of the monies assigned to the Family, 3700*l.* and borrowed by him, upon his personal security, for the supply of Dunkirk, 6090*l.* which made the total of his Debts amount to 29,640*l.* His real estate, by the Schedule, appeared to be, after paying his brother Henry 2001*l.* 17*s.* 9*d.* on his marriage, his sister Frances 1200*l.* his mother 2000*l.* and other annuities, 818*l.* he had only remaining 1299*l.* 12*s.* 4*d.* which was incumbered with a debt of 3000*l.* contracted by him in his father's lifetime, and yet unpaid.—The parliament having read and considered the above Paper, thereupon declared, that they accepted in good part what was expressed in the said Paper; and, in testimony thereof, put in oblivion all matters passed in reference to Richard Cromwell, and took upon them his just Debts, not exceeding the sums contained in the above-mentioned Schedule, and thought it fit that he should retire from Whitehall, and dispose of himself as his private occasions should require, demeaning himself peaceably under the protection of the parliament; and ordered that it be referred to the Committee for Inspection of the Treasury to consider in what manner his Debts should be paid: they also resolved that 2000*l.* be forthwith advanced for his present occasions; and that it be referred to a committee to consider what was fit to be done as to a settlement of a comfortable and honourable subsistence upon him.

May 31. Ordered, "That Mr. Speaker do, every morning, constantly take the chair by 8 of the clock; and that the Council of State, and committee of this house do forbear to sit in council after 8, and do then give their attendance on the service of this house. That the house do rise every day at 12; no motion to be made after that time; but the Speaker was hereby enjoined to rise."

A List of the Navy of England at this Time.] It may not be amiss to present the reader with a List of the whole Navy of England at this time, with the number of their men and guns:

Rates.	*Ships.*	*Men.*	*Guns.*
1	Nazeby	500	80
	Swiftsure	382	64
2	London	400	64
	Dunbar	400	64
	Triumph	350	64
	Rainbow	350	64
3	Speaker	260	58
	Gloucester	260	56
	Plymouth	260	56
	Newberry	260	50
	Dorrington	260	52
	Bridgwater	260	56
	Drogheda	260	50
	Worcester	240	46
	Lion	220	48
	Indian	220	46
	Essex	250	50
4	Leopard	180	40
	Newcastle	180	42
	Winsby	180	46
	Ruby	170	48
	Centurion	170	44
	Preston	170	40
	Portsmouth	160	38
	Assistance	160	40
	Jersey	160	42
	Advice	160	40
	Nan'wich	160	40
	Elizabeth	160	41
	Assurance	140	30
	Adventure	150	36
4	Great-Charity	170	40
	Maidstone	160	36
	Elias	150	38
	Expedition	130	38
5	Tagons	120	22
	Torcester	110	29
	Bradford	110	28
	Success	140	34

June 4. The custody of the Great Seal was given to the serjeants Bradshaw, Tyrrill, and Fountain, as commissioners, to the 20th of Oct. next. An Act was passed for making Charles Fleetwood, esq. lieut. general and commander in chief of all the Forces in England and Scotland. Lastly, it was resolved, "That the Continuance of this parliament shall not exceed the 7th of May, 1660."

State of the Public Debts.] June 8. A State of the Public Debts was presented to the house by col. Downes, from the Committee of Inspection, whereby it appeared that

There was owing to the Land Forces of England, Scotland, and Ireland, to the 20th June, 1659	£.600,944 16 6
To the Navy, to 28th May	692,640 0 0
That the growing Charge to the 1st Dec. 1659, for the Land Forces, amounted to	447,236 12 8
And for the Navy	607,645 0 0
Making in all	£.2,348,466 9 2

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Towards the Discharge whereof the most that can be expected out of the Excise and Customs, estimated by 6 months, ended the 28th of May last, and the Arrears thereof, will not exceed - - -	706,492	9	11¾
So there will require to balance, besides the Charge of Ships lately resolved by the parliament to be set forth - - -	1,641,973	19	2¼
Ready Cash, there is none.			
So that, admitting there be according to the present Order of the house, raised, by way of Assessment, upon the 3 Nations -	600,000	0	0
There will yet rest to be provided the sum of -	£.106,492	9	11¾

June 20. Sir A. Haslerig reported from the Council of State, "That they found the Commonwealth likely to be greatly inconvenienced for want of Monies, the necessities both of the Army and Navy being very great, and the Weekly Income bearing no proportion to the constant Charge: That there was not money in the Exchequer sufficient to answer the charge of sending the plenipotentiaries to the Sound, notwithstanding great arrears are in the hands of particular persons, due to the government; therefore they desired the parliament would please to take into their consideration the speedy bringing in of all Monies due, and give such orders therein as may be effectual."—Upon this, the house resolved, "That 5 commissioners be appointed to manage the whole Revenue of the Commonwealth, and to take care the same be duly brought in, and to give allowances as they should see cause.

July 4. Sir A. Haslerig, from the Council of State, reported the humble Opinion of that Council, "That the parliament would be pleased, by their Order, to exempt and secure the eldest son of the late lord-general Cromwell, for the space of 6 months, from all arrests from any debts; to the end some course might, in the mean time, be settled concerning the payment of the said debts, according to a Declaration of parliament." Which was agreed to.

Lieut. gen. Fleetwood acquainted the house, That col. Henry Cromwell was in town, and attended to give them an account of the management of Affairs in Ireland. Hereupon it was ordered, "That it should be referred to the Council of State to hear col. Henry Cromwell's Relation as touching the management of the said Affairs; and to do therein as they should think fit." By the same Order, he had liberty given him to retire into the country, where he should think proper, on his own occasions.

July 9. Lieut. gen. Ludlow received his commission as Commander in Chief over all the Forces in Ireland; and when he had put the affairs there in good order, leave was given him to come back and settle his private concerns.

July 12. The Bill of Indemnity being read a 3rd time, and put to the question, was passed.

About this time we find, by the entries in the Journals, that the parliament began to be alarmed with the breaking out of some Plot, or an Insurrection. The first notice given of it was, That the Council of State had taken up some suspected persons; which the parliament approved of. Next, we find Orders were given to raise 6 troops of horse within the city of London; and a notification made to the citizens, That the parliament expected the magistrates and other good people of the city would give all encouragement and furtherance to what might conduce to the safety and good of this Common-wealth, in this time of imminent danger.

Insurrections against the Parliament.] July 31. This day we have some further intimation of the Plot, by some persons of distinction being apprehended, and others sought after. A Proclamation was published against John Mordaunt, esq. son to the late earl of Peterborough, summoning him to render himself to parliament. Major Salway reported to the house, from the Council of State, That they had received information of a rising in Herefordshire, and of some persons being taken prisoners there. By other intelligence, also, the Council had caused lady Mary Howard, daughter to the earl of Berkshire, and Mrs. Sumpner, to be apprehended, and had committed them, in order to their trial. The house approved of the commitment of these ladies; and appointed a committee to consider how they might be brought to a speedy trial.—This is all the intimation the Journals give, as to a designed Insurrection, which about this time actually happened under sir George Booth, in Cheshire and Lancashire.

Aug. 6. This day, care was taken by the house to provide prisons for the great number of persons who were daily brought up to town. The house also ordered 14 regiments of foot, consisting of 1000 men each, to be forthwith raised, as a Guard to the respective counties where they were to be enlisted.

Aug. 9. Sir James Harrington reported, from the Council of State, That it be humbly offered to the parliament, that, by intelligence which the Council received yesterday, and by Examinations taken last night by the lord mayor of London, it doth appear that there is a Design carrying on in the city of London, to the disturbance of the public peace, and in favour, as is to be suspected, of the late Insurrection and Rebellion in Cheshire, and those parts; and, for this purpose, the very time and place of rising in this city, as also the word which is to be given, are agreed upon;

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and, unless prevented, the time is to be this evening at 5 of the clock: that, as well by letters as messengers express, that are come out of Cheshire, the Council hath certain information that Charles Stuart, by the name of Charles II. hath been proclaimed at Wrexham, a market-town, and other places near Chester; and that many of the Cavaliers in the first war are joined with sir George Booth in the late Insurrection; and do already fall to their wonted profane courses of drinking healths openly to Charles Stuart upon their bare knees, and declare themselves in the principles of the old Cavaliers, whatever other disguises for the present are put upon their design, to the misguiding of many good people: the Council do therefore humbly offer to the parliament, that, by some declaratory Votes of theirs forthwith to be published, the good people of these nations, and in the city of London, may be undeceived, and be warned of the danger of adhering unto, or abetting, the said insurrections, and be encouraged to shew their good affections to this Common-wealth in suppressing the same.—Resolved, "That col. Egerton, Rob. Werden, sir Geo. Booth, and sir Tho. Middleton, being now in arms against the parliament and Common-wealth, and all their adherents and partakers, are rebels and traitors to this Common-wealth, and shall be proceeded against as rebels and traitors;" and a Proclamation was ordered out accordingly.

The Cheshire Insurrection suppressed by Lambert.] Aug. 20. A messenger was sent by general Lambert, to acquaint the house with the Success the Lord had given their Forces in Cheshire, by a total rout of the enemy.—On the 22nd several more Letters were read, particularly one from Lambert himself, with a confirmation of his Victory; for which the Thanks of the house were ordered to be sent him for his great service at this time.—Soon after, Chester and Liverpool, and some other places the insurgents had taken, were delivered up to the parliament; Lambert had 1000*l.* ordered to buy him a Jewel; and thus this attempt was quashed, the parliament being rendered more strong and formidable by it than ever.—Besides the afore-mentioned affair, the house had been busy in canvassing two important Bills; the one was for uniting Scotland with England; and the other for settling the Government on so solid a basis that it should be immoveable.

Aug. 23. An Account was brought to the house of the taking of sir George Booth, at Newport-Pagnel, the night before. He was committed close prisoner to the Tower for High Treason, in levying war against the Parliament and Common-wealth.

Sept. 22 Nothing materially occurs till this day, when the house seem to have taken some alarm, by ordering their doors to be kept shut, and no member to go out till further order; after which, the house was made acquainted with the nature of an Address, intended to be made to parliament by some Officers of the Army. Upon which col. Pierson, col. Ashfield, and col. Cobbett, were ordered to bring the original Paper, or Address, intended to be presented to parliament that afternoon; and that lieut. gen. Fleetwood do give notice of this order to them.—Accordingly, in the afternoon, the lieut. general did deliver in a Paper, or Letter, signed by many persons of the Army, and superscribed, 'To the Supreme Authority 'of these Nations, the Parliament of the 'Commonwealth of England, &c. The Humble 'Petition and Proposals of the Officers of the 'Army, under the command of the lord Lam-'bert, in the late Northern Expedition.' After reading this Paper, the house fell into a great debate about it; but growing late, it was adjourned to the next morning, the first business, and nothing to intervene.

Sept. 23. The door of the house was ordered to be again kept shut, and no member suffered to go out without leave; the lobby to be cleared of all strangers, and that door shut also. After this, the debate began on the late Petition and Proposals of the Officers, &c. but what was said in it we cannot learn from the Journals, only it was resolved, "That this debate be kept under secresy." But, at the conclusion of the debate, which took up the whole day, we find the house came to the following Resolution, "That this house doth declare, That to have any more General Officers in the Army, than are already settled by the parliament, is needless, chargeable, and dangerous to the Commonwealth." But a question being proposed, That some of the matters contained in the Paper, intituled 'The Humble Petition, &c.' are unseasonable, and of dangerous consequence; and the question being put, That this question be now put, the house divided; when it passed in the negative, 31 against 25. After which, lieut. gen. Fleetwood was ordered to communicate the former Vote of this house to the Officers of the Army, and to admonish them of this irregular proceeding, and to take care to prevent any further proceedings therein by the soldiery.

Oct. 5. By an Entry in the Journals of this day; and, by the subsequent proceedings, we may well suppose the parliament were growing extremely jealous of their own Army at home, and were willing to curry favour with Monk in Scotland. The entry is this; "Ordered, That a Letter be prepared, to be signed by the Speaker, to general Monk, in Scotland, taking notice of the parliament's good acceptance of his faithfulness, and expressions of the same by his Letters, and otherwise."

A Petition from the Army to the House, which occasions another Revolution.] On the same day, the house was informed that some Officers of the Army were at the door; who, being called in, major-general Desborough, at the bar of the house, in the name of the rest, said,

"Mr. Speaker; I am ordered, by the general Council of the Army, with the rest of these

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gentlemen, to wait upon you, to present unto you their Humble Representation and Petition; and they humbly desire, that you would accept it, as that proceeds from the hearts of those, who desire nothing more than that the Lord would strengthen your hearts, in carrying on that good work of settling these nations upon the foundation of a Free Common-wealth, whereby the religious and civil liberties of the good people thereof may be preserved and secured."

The Officers being ordered to withdraw, their Petition was read; after which, the Speaker, by direction of the house, gave them this Answer:

"Gentlemen: The parliament hath read your Representation and Petition; and taking notice of the good expressions of your affections and faithfulness to this parliament and Common-wealth, which are therein, have commanded me to return you the thanks of the house: and, in their name, I give you thanks accordingly. I am likewise commanded to let you know, That the parliament hath already taken into consideration the relief of the poor widows, orphans, and maimed soldiers, to whom pensions have been formerly allowed, and a way for satisfaction of the Arrears due to the officers and soldiers; and shall endeavour to bring the same to speedy effect: the other matters of your Petition are appointed to be taken into consideration on Saturday next the 8th instant."

Oct. 8. An additional Bill, for enforcing Sequestrations against the unfortunate in the late attempt, was read a 2nd time. The Officers of this terrible inquisition are next named, and their respective salaries settled; amongst whom *Praise God Barebone* was made Comptroller, with a salary of 300*l.* a year.

The house next proceeded to take into consideration the late Petition of the Officers of the Army; but after some debate, it was adjourned to the 10th, which day was intirely taken up in debating the affair; and, first, the said Representation and Petition was read, as follows:*

The Humble REPRESENTATION and PETITION of the Officers of the Army to the Parliament of the Commonwealth of England, presented to them Oct. 5, 1659, by major-general Desborough;

"Sheweth; That having had, by your Order, some late Votes of parliament communicated to us by lieut. gen. Fleetwood, our commander in chief, occasioned by a debate in parliament, upon the Petition and Proposals of the Officers under the command of the lord Lambert in the late Northern Expedition; we have inquired diligently into our hearts and ways, with reference thereunto, and finding nothing amongst us but faithfulness and integrity to the parliament and this Commonwealth, we cannot but be sensible, that there hath not wanted some persons, who have endeavoured to beget misunderstanding between the parliament and Army; and to that end have represented our actions and intentions so, as it is taken for granted there hath been irregularity amongst us, at which we fear you have taken offence. Whereas we are persuaded, that if there had not been an anticipation, it would have appeared to all unprejudiced spirits, that neither we, (who, for the generality of us, were utterly ignorant of that whereat the offence is taken) nor our faithful brethren of the Northern Brigade, who signed the said Petition and Proposals, did design or intend any thing tending to the interruption of the parliament, the prejudice of the peace of this Commonwealth, or any other bye or sinister respect, not becoming the trust reposed in us. Wherefore, being sensible of the evil use that persons abroad may make from the least apprehensions of difference between the Parliament and Army, and that we may, as much as in us lie, remove all occasions of surmize, justify our own innocency before you, and frustrate the expectations of any, who, by blowing up the coals of dissention, hope to warm themselves thereby, we have thought it our duty to present our naked thoughts to you, and hope you will find so much of integrity and approved faithfulness in us, for the welfare of this Commonwealth, as may continue a firm confidence of us, and engage your zeal against all such as shall go about to reproach your faithful Army, or any member thereof for the future; especially considering, that the peace of these nations, next under God, depends so much upon a cordial and affectionate agreement and union of the parliament and Army, and an uninterrupted good understanding of each other; and therefore we do humbly and plainly declare.—1. That, notwithstanding what any persons may suggest or say to the contrary, we are not for, but against, the setting up of any Single Person whatsoever, in supreme authority: and, for a demonstration hereof, we may appeal to your own Judgments upon our late actings; wherein, since our Declaration of the 6th of May last, we have, with all industry and faithfulness, endeavoured to render ourselves serviceable to you and this Commonwealth, and have chearfully observed your commands, some of us with our lives in our hands in your late service; wherein, to our great encouragement, the lord hath once more appeared to own you and your Army, and the good old Cause for which we have contended. And, at the late return of this parliament to the discharge of their remaining trust, we did, with simplicity and plainness, in our Humble Petition and Address presented unto you, manifest our hearts and desires, and that with much unanimity and fulness of consent, which we apprehended was well accepted by you.—2. That we have not since changed our principles, (leading to a well-regulated Commonwealth, wherein the liberties of the people thereof, both spiritual and civil, may be fully secured, and persons of known integrity, piety, and ability, em-

* London, printed by John Redmayne, 1659.

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ployed in places of trust and concernment) but resolve, by the assistance of God, to remain constant to them; and make it our humble prayer to God, that he would incline your hearts effectually to prosecute the same, and make you instrumental in bringing forth such a foundation of Government, whereby all the good people of these nations may rationally expect that such liberties and rights shall be preserved to them and their posterities. And we can truly say, that it is in our hearts earnestly to desire, that God would crown you with the honour of making these nations happy by such a Settlement, as may not be liable, at every change of governors, to have the peace thereof disturbed, by introducing new governments.—3. Whereas a Petition and Proposals were lately drawn up, by the Officers of the brigade under the command of major-gen. Lambert, that hazarded themselves in your service with good Success, whereby, through the blessing of God upon them, and others of your faithful friends and servants, the peace of this Commonwealth is still continued; and the said Petition was sent up to some Officers here, to be presented to the lord Fleetwood, which hath been by some interpreted to evil and sinister ends, and from thence suggestions derived, as if there were intentions to violate the parliament, to set up a single person, or another general, in order thereunto: we do sincerely profess (whatever the designs of any persons may be, to promote such causeless jealousies) we have had no other than faithfulness and candour in our hearts and actions towards the parliament; nor do we apprehend (with submission we speak it) any reason or cause of offence to be conceived against your faithful servants, who lately gave so ample proof of their fidelity and courage.—4. We cannot but esteem ourselves unhappy to have been so misrepresented to the parliament, as should occasion such a public admonition upon record; and considering what evil use may be made of these things by the public enemy, and to the end they may be disappointed of their hopes, and all such persons discouraged as shall go about for the future to promote jealousies, or, by misinformation, to beget divisions betwixt the parliament and their faithful servants the Army; and that a good understanding may be preserved between them, we humbly pray, I. That the Officers of the Army, and particularly those who have reason to bear the marks of your favour, for their faithfulness in the late Northern Expedition, may stand right in your opinion, and have your countenance. II. That whatsoever person or persons shall, for the future, groundlessly and causelessly inform the house against your servants, thereby creating jealousies, and casting scandalous imputations upon them, may be brought to examination, justice, and condign punishment. III. That it being an undoubted right of the people to have liberty, in a peaceable and submissive way, to petition the supreme authority; which liberty hath been by yourselves asserted, allowed, and approved of, we cannot but also assert the said liberty, and humbly conceive that your faithful servants of the Army have no way forfeited their rights as freemen; and that therefore they hope it will be no offence for them to submit their humble Desires to the parliament. And we hope and pray you will not discourage them from so doing. IV. That you would be pleased to take into your serious consideration the necessitous condition of the poor Soldiers of your Armies; and that all possible care may be taken for their timely supply, their wants being such as earnestly call for it; and that some speedy and effectual course may be taken to provide for the maimed soldiers, and the poor widows and orphans of such as have been slain in your service, that the blessing of the desolate may be upon you. V. That such who have freely offered themselves, in the several counties and cities of these nations, to own and stand by you and your cause in the late insurrection, with the hazard of all that is dear unto them, may have your encouragement, and be employed in places of trust and command. VI. That (it being a thing granted by all, that, without due execution of martial discipline, the peace, union, and good government of an Army cannot be preserved) the discipline of the Army may be preserved inviolable; and in particular, that no officer or soldier of your Army may be cashiered, or dismissed from their places, without a due proceeding at a court-martial, or by his own consent; except in cases of reducements or disbandings. VII. That it being judged necessary by the parliament, for the keeping of the Army under such a conduct as may render the same serviceable to the Commonwealth, to appoint a Committee of Nomination, for the proposing of Officers to the parliament for their approbation, we humbly pray that no officers may be brought into the Army, but such as shall first come under the consideration of the said committee, and be by them presented. VIII. The office of the commander in chief of the Army, being of so great concernment to the peace of this Commonwealth, and his commission at present, as we conceive, expiring within a few months, we humbly pray that the consideration of that matter may come before you, and some such effectual course taken therein, as may prevent our fears, and the hazard of leaving the Army to confusion. IX. And that you would retain a good opinion of your Army; and, against all discouragements whatsoever, proceed in the carrying on of that good work intrusted in your hands, for the glory of God, and advantage of these nations. In the prosecution whereof, through the help of our God, we shall be found (notwithstanding all endeavours to the contrary) faithful to you and this Commonwealth."

Lambert, Desborough, and others, cashiered by the Parliament.] The first Proposal being read, it was resolved, that the following Answer be given to it: "That the Officers of the Army have received, and shall, from time

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to time, receive marks of the favour of this parliament, and countenance answerable to their merit and faithfulness."—To the 2d Proposal, the following Answer was resolved to be given: "That it is the duty of all persons, especially of the members of parliament, to inform the house of any thing which, in their apprehension, may concern the public safety; and it is the undoubted right of the parliament to receive and debate those informations, and to resolve what they think fit thereupon."

Oct. 11. The 3rd Proposal was read, to which the following Answer was resolved to be given: "The parliament declareth, that every member of the Army, as freemen of England, have right of petitioning the parliament; but withal thinks fit to let them know, that the petitioners ought to be very careful, both in the manner and in the matter which they desire; that the way of promoting and presenting the same may be peaceable, and the things petitioned for not tending to the disturbance of the Commonwealth, nor to the dishonour of the parliament: and that it is the duty of petitioners to submit their Desires to the parliament, and acquiesce in the judgment thereof."—To the 4th Proposal, the following Answer was resolved to be given it: "That 2 months Pay be forthwith paid to the officers and soldiers of the Army in England, out of the 6 months assessment of 35,000*l.* per month, now due; and that the Council of State do give order that the same be paid accordingly." Resolved, "That 2 months Pay be also paid forthwith to the officers and soldiers, in Scotland and Ireland; and that the Council of State do give Order for the payment thereof accordingly."—And it was ordered, "That the former Votes for making provisions for Officers and Soldiers, and wounded and maimed Soldiers, be also part of the Answer to this 4th Proposal; and that the Council of State do take care the Monies formerly ordered to be paid, to the use of the wounded and maimed soldiers, widows and orphans, at Ely-House and the Savoy, be forthwith paid unto the old officers there; and that they pay it according to the regulation made by the trustees and contractors at Worcester-House."—It was also ordered, "That it be referred to a committee to bring in a Bill for saving to such Apprentices, as have served the parliament in the late war, their time, and to compel their masters to grant them their freedom, as if they had been in their master's service during the time they were in the parliament's service."—Then the 5th Proposal was read, to which the following Answer was resolved to be given: "That such persons as have been faithful and active for the parliament in the late Insurrection, the parliament will take care to give them all due encouragement, as occasion shall be offered."—Then it was ordered, "That the further debate on the Army's Proposals be adjourned until the next morning, and to be the first business.—This day, the house also passed the Act against raising of Monies upon the people, without their consent in parliament.

Oct. 12. The house re-assumed the debate upon the Proposals, the 6th being read, and also a Letter dated at Whitehall, Oct. 5, 1659, signed by divers Officers of the Army, directed for col. John Okey, and a Paper, in print, intituled, 'The Humble Representation and Petition of the Officers of the Army to the Parliament of the Commonwealth of England, presented to them Oct. the 5th, by major-gen. Desborough, accompanied with the field officers of the Army, and subscribed by 230 commission officers in and about London, together with the Parliament's Answer thereunto.'—Then they resolved, "That the several commissions of the following persons, viz. colonels John Lambert, John Desborough, James Bury, Tho. Kelsey, R. Ashfield, Ralph Cobbett, W. Packer, Rob. Barrow, and maj. R. Creed, who have subscribed the said Letter, should be made void and null, and every of them be discharged from all military employment."—They also resolved, "That the Army should be governed by 7 Commissioners; whereupon, a Bill was drawn up and passed, impowering several persons therein named Commissioners for the government of the Army.—Then, it was referred to a committee to consider of an Answer to be given to the 6th, 7th, and 8th Proposals of the Officers of the Army, and report it to the house. After which it was ordered, "That the Commissioners for the management of the Army, be enjoined forthwith to meet and give Order, that the forces may be disposed of as may be for the peace of the Commonwealth, and safety of the parliament."

The Parliament expelled.] Oct. 13. The Journals tell us, "That this day the late principal Officers of the Army whose Commissions were vacated, drew up Forces in and about Westminster, obstructed all passages both by land and water, stopped the Speaker in his way, placed and continued guards upon and about the doors of the parliament-house, and so interrupted the members from coming to the house, and attending their service there."

Having thus gone through the Journals of this dying parliament, we shall give the manner of its exit, and how it was brought about, in the words of Mr. Hume. "The late Votes," he says, "were feeble weapons in opposition to the swords of the soldiery. Lambert drew some troops together, in order to decide the controversy. Okey, who was leading his regiment to the assistance of the parliament, was deserted by them. Morley and Moss brought their regiments into Palace-yard, resolute to oppose the violence of Lambert. But that artful general knew an easy way of disappointing them. He placed his soldiers in the streets which lead to Westminster-hall. When the Speaker came in his coach, he ordered the horses to be turned, and very civilly conducted him home. The other members were in like manner intercepted. And the two regiments

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in Palace-yard observing that they were exposed to derision, peaceably retired to their quarters."

Committee of Safety.] Oct. 28. The Army being again invested with Supreme Authority, had many consultations how they should new model the government; and, first, they declared Fleetwood to be their Commander in Chief. They next dispatched messengers to the Armies in Scotland and Ireland, to acquaint them with what they had done. They nominated a Council of Ten; namely, Fleetwood, Lambert, Whitlocke, Vane, Desborough, Harrington, Sydenham, Bury, Salway, and Warreston, to consider of proper ways to carry on the affairs of Government. They made, as is said before, Fleetwood chief commander, and Lambert major-general of the forces in England and Scotland; which, says Whitlocke, much discontented Monk. They appointed Fleetwood, Lambert, Vane, Desborough, Ludlow, and Bury, to be a Committee for nominating Officers of the Army; and, lastly, they kept a Day of Humiliation in Whitehall Chapel.—The next thing they did was to constitute, what they called A COMMITTEE OF SAFETY, consisting of 23 persons; and letters were sent to every one of them, to undertake the trust. This day, the Committee met. The first thing they did, was to publish a Declaration from the Army, with the Grounds and Reasons of their late Proceedings.—About this time, also, came a Letter from general Monk, then at Edinburgh, to the Officers of the Army, declaring his dissatisfaction, and of those that were with him, on the late turn of affairs. This was the first smoke perceived of that fire, which so soon after broke out.

Monk's Letter to the Speaker of the Secluded Parliament.] At the same time, came also the following Letter from Monk, directed to Lenthall, the Speaker of the secluded Parliament: "Edinburgh, Oct. 20, 1659.

"Right Honourable; Having received notice that there was a force put upon the Parliament on the 12th of this instant, I have sent this messenger to your lordship, to know whether that force doth continue; for I am resolved, by the grace and assistance of God, as a true Englishman, to stand to and assert the liberty and authority of parliament: and the Army here, praised be God, is very courageous and unanimous; and I doubt not but to give a good account of this action, to you. I have, according to your Act of the 11th inst. being constituted a Commissioner for the Government of the Army, put out such persons as would not act according to your commission. I do call God to witness, That the asserting of a Commonwealth is the only intent of my heart; and I desire, if possible, to avoid the shedding of blood, and therefore intreat you, that there may be a good understanding between the Parliament and Army: but if they will not obey your commands, I will not desert you, according to my duty and promise. Which is all at present from Your, &c. GEORGE MONK."

The Committee of Safety easily foresaw what a hurricane from the North was coming upon them; and therefore cast about, with all their cunning, to prevent the evil consequences of such a storm. Some persons were sent to the General to inform him better of things, and to gain him over to their schemes of government. But, at the same time, Lambert was also ordered down to command the Forces that were quartered at York, and the northern parts of England, with some more regiments with him, in order to stop, or prevent, any sinister design that Monk might have against them.—In the mean time, the said Committee appointed a Sub-Committee, consisting of Fleetwood, Whitlocke, Vane, Ludlow, Salway, and Tichburne, to consider of a Form of Government for the three nations, as a Commonwealth. By a formal Order of State, they also constituted the lord Whitlocke, Keeper of the Great Seal, till further order.

Monk advances with his Army towards England.] Hearing that Lambert was advancing northward with his Army, Monk, says Mr. Hume, "sent Clobery and two other commissioners to London, with large professions of his inclination to peace, and with offers of terms for an accommodation. His chief aim was to gain time and relax the preparations of his enemies. The Committee of Safety fell into the snare. A Treaty was signed by Monk's Commissioners; but he refused to ratify it, and complained that they had exceeded their powers. He desired, however, to enter into a new negotiation at Newcastle (November.) The Committee willingly accepted this fallacious offer. Meanwhile, these military sovereigns found themselves surrounded on all hands with inextricable difficulties. The nation had fallen into total anarchy; and by refusing the payment of all taxes, reduced the army to the greatest necessities. While Lambert's forces were assembling at Newcastle, Haslerig and Morley took possession of Portsmouth, and declared for the parliament. A party, sent to suppress them, was persuaded by their commander to join in the same declaration. The city Apprentices rose in a tumult, and demanded a free parliament. Though they were suppressed by colonel Hewson, a man who from the profession of a cobler had risen to a high rank in the army, the city still discovered symptoms of the most dangerous discontent. It even established a kind of separate government, and assumed the supreme authority within itself. Admiral Lawson with his squadron came into the river, and declared for the parliament. Haslerig and Morley, hearing of this important event, left Portsmouth, and advanced towards London. The regiments near that city being solicited by their old Officers, who had been cashiered by the Committee of Safety, revolted again to the parliament. Desborough's regiment, being sent by Lambert to support his friends, no sooner arrived at St. Albans, than it declared for the same assembly.—Fleetwood's hand was found

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too weak and unstable to support this ill-founded fabric, which, every where around him, was falling into ruins. When he received intelligence of any murmurs among the soldiers, he would prostrate himself in prayer, and could hardly be prevailed with to join the troops. Even when among them, he would, in the midst of any discourse, invite them all to prayer, and put himself on his knees before them. If any of his friends exhorted him to more vigour, they could get no other answer, than that God had spitten in his face, and would not hear him. Men now ceased to wonder, why Lambert had promoted him to the office of general, and had contented himself with the second command in the army."

The Long Parliament a third time restored.] Dec. 26. Lenthall, the Speaker, being invited by the Officers, again assumed authority and summoned together the parliament, which twice before had been expelled with so much reproach and ignominy. They met this day at Whitehall, from whence they proceeded to the parliament house, on foot; those very soldiers shouting as they now passed by, who, but a little more than two months ago, by force shut them out of the house. The Journals now begin again, and proceed without the least notice being taken of the interruption in them. Mr. Prynne, together with several of the Secluded Members, made another fruitless attempt to gain admittance.—As soon as assembled, the house proceeded to repeal the Act against the payment of Excise and Customs; they appointed Commissioners for assigning Quarters to the Army; and, without taking any notice of Lambert, they sent orders to the Forces under his command immediately to repair to those quarters which were appointed them.

Dec. 27. Resolved, "That Mr. Speaker be desired to write Letters to the several Members of this house, forthwith to give their attendance on that service." This Vote was very necessary; for, on a division this day about a Commissioner of the Customs, the numbers were only 20 to 17.

Dec. 28. Col. Ingoldsby gave an Account of his taking and securing Windsor Castle for the parliament; which action the house approved of, and gave Thanks to him and the Forces under him.

A new Council of State elected.] Dec. 30. The house began to prepare for the electing a new Council of State, consisting of 21 of their own members, and 10 of such as were not of the house. The next day, the Names of the persons who had most voices, and were members of this parliament, were reported viz. Sir A. Haslerig, Mr. Morley, Mr. Wallop, Mr. Scott, Mr. Love, Mr. St. John, Col. White, Mr. Weaver, Mr. Reynolds, Sir J. Harrington, Mr. Luke Robinson,* Col. Thompson, Mr. John Dixwell, Mr. Nevill, Col. Fagg, Mr. Corbet, Mr. Chaloner, Mr. Hen. Martin, Mr. Wm. Say, Col. Walton, Sir Tho. Widdrington.—The 10 Persons out of the house were, Sir A. A. Cooper, Gen. Monk, Admiral Lawson, Alderman Love, Josias Barners, lord Fairfax, Alderman Foote, —Tyrrill, R. Roll, S. Bethell. —The time for the continuance of this Council of State, to sit and act, was voted to be only from Jan. the 1st, 1659, to the 1st of April, 1660. Instructions were drawn up and agreed to for them to act by, which are not entered in the Journals.

Jan. 3. It was resolved, "That Writs should issue out for electing members to sit and serve in parliament, in the places of those members of this house that were dead, under such qualifications as should be agreed upon by the house."

Jan. 9. It was resolved, "That the colonels John Lambert, Desborough, Ashfield, Bury, Kelsey, Cobbet, Barrow, Packer, and major Creed, be forthwith injoined to repair to their respective houses in the country, farthest distant from the city of London, and to continue there during the pleasure of the parliament.

Jan. 12. The house received another Letter from gen. Monk, which was sent by Mr. Gumble†, one of his chaplains, and dated from Newcastle, Jan. 6, 1659.—Upon which it was resolved, "That the parliament doth justify and approve of what gen. Monk hath done, in taking up horses, and in his marching into England, and all other things by him acted and done, in order to the service of the Parliament and Common-wealth." And the Solicitor-General was ordered to bring in an Act for justifying and approving what gen. Monk had done. The house was now almost solely employed in nominating Officers to several regiments; nothing else intervening of any consequence, save that the Speaker, being taken ill in the house, desired leave to absent himself for ten days; which was granted, and Mr. Say elected to supply his room.

Jan. 14. The Council of State was authorized and injoined to secure the colonels Lambert, Desborough, Bury, Kelsey, Cobbet, Ashfield, Barrow, Packer, and major Creed, and all other persons whatsoever, who had been banished to their country-houses, by orders, or warrants, from parliament, and have not obeyed such orders.

£.1000 Land a Year voted for General Monk.] Jan. 16. The parliament ordered, "That 1000*l.* a year, land of inheritance, be settled upon gen. George Monk, and his heirs, as a mark of the favour and respect of the parliament, for his eminent and signal services for the parliament and Common-wealth.—It was also ordered, "That Mr. Scott and Mr.

* Mr. Carew Raleigh had the same number of voices on the ballot; but both their Names being put into a hat and shaked, the Speaker drew out Mr. Robinson.

† This Thomas Gumble, D. D. wrote the Life of General Monk, Duke of Albermarle, &c. with some Remarks upon his Actions. London, 1671, 8vo.

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Robinson he desired to go to commissioner Monk, to congratulate with him from the parliament, for the good success the Lord had given to his endeavours, and to let him know the sense they have of his great services; and that care is taken by the parliament to provide Money for his Officers and Soldiers."—A Letter was likewise ordered to be sent to gen. Monk, to let him know the sense the parliament had of his great services, and that they are providing Money for his soldiers: and that the parliament were glad to hear of his repairing to London, according to their desire.

Jan. 21. Ordered, "That it be referred to a committee to bring in a declaration, on Monday next, That the parliament intends forthwith to proceed to the Settlement of the Government; and will uphold a learned and pious Ministry in the nation, and their maintenance by Tythes and the known laws of the land: That they will proceed to fill up the house as soon as may be; and to settle the Common-wealth without a King, Single Person, or House of Peers, and will promote the Trade of the nation: that they will reserve due Liberty to tender consciences; and encourage and settle the Universities: That they will not meddle with the executive power of the Law, but only in case of mal-administration and appeals; and that proceedings shall be according to the laws: and also, that they will ease the Burdens of the nation as much as is consistent with the pressing necessities of the Common-wealth."—On the 23rd, a Declaration to this effect was brought in, and agreed to.

General Monk enters England with his Army.] Having now brought this month of January to a close, and given all the material transactions of parliament which happened in it, and are entered in the Journals, it will be necessary to go back a little, in order to see what General Monk and his Army were doing at this time. Mr. Hume informs us, "That Monk was advancing with his Army, which was near 6000 men: the scattered forces in England were above five times more numerous. Fairfax, who had resolved to declare for the king, not being able to make the general open his intentions, retired to his own house in Yorkshire. In all counties through which Monk passed, the prime gentry flocked to him with Addresses, expressing their earnest desire, that he would be instrumental in restoring the nation to peace and tranquillity, and to the enjoyment of those liberties, which by law were their birthright, but of which, during so many years, they had been fatally bereaved: and that, in order to this salutary purpose, he would prevail, either for the restoring of those Members who had been secluded before the king's death, or for the election of a New Parliament, who might legally, and by general consent, again govern the nation. Though Monk pretended not to favour these Addresses, that ray of hope, which the knowledge of his character and situation afforded, mightily animated all men. The tyranny and the anarchy, which now equally oppressed the kingdom; the experience of past distractions, the dread of future convulsions, the indignation against military usurpation, against sanctified hypocrisy: all these motives had united every party, except the most desperate, into ardent wishes for the King's Restoration, the only remedy for all these fatal evils.—Scot and Robinson were sent as deputies by the parliament, under pretence of congratulating the general, but in reality to serve as spies upon him. The city dispatched four of their principal citizens to perform like compliments; and at the same time to confirm the General in his inclination to a free parliament, the object of all men's prayers and endeavours. The authority of Monk could scarcely secure the parliamentary deputies from those insults, which the general hatred and contempt towards their masters drew from men of every rank and denomination.—Monk continued his march with few interruptions till he reached St. Albans.* He there sent a message to the parliament; desiring them to remove from London those regi-

* Dr. Price, in his History of the Restoration, speaking of the Quarters at St. Albans, says, "Here we spent one day extraordinary at the Church; the famous *Hugh Peters*, Mr. Lee of Hatfield, and another, carrying on the work of the day, which was a Fast. Peters supererogated, and prayed a long prayer in the General's Quarters too at night. As for his sermon, he managed it with some dexterity at the first, allowing the cantings of his expressions: his text was Psalm cvii. 7. 'He led 'them forth by the right way, that they might 'go to the City of Habitation.' With his fingers on the cushion he measured the right way from the Red Sea, through the Wilderness, to Canaan; told us it was not 40 days march, but God led Israel 40 years through the Wilderness before they came thither; yet this was still the Lord's right Way, who led his people *crinkledum cum crankledum*. And he particularly descended into the lives of the patriarchs, how they journeyed up and down, though there were promises of blessing and rest to them. Then he reviewed our Civil Wars, our intervals of peace, and fresh distractions and hopes of rest; but though the Lord's people, he said, were not yet come to the City of Habitation, he was still leading them on in the right way, how dark soever his dispensations might appear to us. Before he concluded, he seemed to me to preach his own funeral sermon. But it was in those days observed of an Army-Fast, that it commonly proved the fore-runner of some solemn mischief, and rendered their governors (whose supremacy, in causes ecclesiastical, was not owned by these kind of subjects) jealous of them: for they would not scruple religiously to meet to seek the Lord, without the mandate and direction of their masters; and, in truth, they knew so well at what turning to find him, that their Seeking was never in vain."

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ments, which, though they now professed to return to their duty, had so lately offered violence to that assembly. This Message was unexpected, and exceedingly perplexed the house. Their fate, they found, must still depend on a mercenary army; and they were as distant as ever from their imaginary sovereignty. However, they found it necessary to comply. The soldiers made more difficulty. A mutiny arose among them. One regiment, in particular, quartered in Somerset-house, expressly refused to yield their place to the northern army. But those officers who would gladly, on such an occasion, have inflamed the quarrel, were absent, or in confinement; and for want of leaders, the soldiers were at last, with great reluctance, obliged to submit (Feb 3). Monk with his army took quarters in Westminster."

General Monk's first Speech to the Parliament.] Feb. 4. This day it was ordered, "That General Monk do attend the house on Monday next, to receive the sense of the parliament, in relation to his signal and faithful services; and that Mr. Scott and Mr. Robinson do accompany him."

Feb. 6. This day, we find no mention made of an interview between the General and the Parliament, in the Journals; though it certainly took place. There is an hiatus, marked with asterisms, at the end of this day's proceedings, in which, probably, the clerk should have entered it: The Speech which the General made to the house, at this their first meeting, was as follows:*

"Mr. Speaker; Amongst the many mercies of God to these poor nations, your peaceable restoration is not the least: it is his work alone, and to him belongs the glory of it. And I esteem it as a great effect of his goodness to me, that he was pleased to make me, amongst many worthier in your service, some way instrumental in it. I did nothing but my duty, and do not deserve to receive so great honour and respect as you are pleased to give me at this time and place, which I shall ever acknowledge as an high mark of your favour to me. Sir, I shall not now trouble you with large narratives, only give me leave to acquaint you, that, as I marched from Scotland hither, I observed the people in most counties in great and earnest expectations of Settlement; and they made several applications to me, with numerous subscriptions. The chiefest heads of their Desires were, For a free and full parliament, and that you would determine your sitting; a Gospel Ministry; encouragement of Learning and Universities; and for admittance of the Members secluded before 1648, without any previous oath or engagement. To which I commonly answered, That you are now in a free parliament; and if there be any force remaining upon you, I would endeavour to remove it: and that you had voted to fill up your house, and then you would be a full parliament also; and that you had already determined your sitting. And for the Ministry, their Maintenance, the Laws and Universities, you had largely declared in your last Declaration, and I was confident you would adhere to it; but as for those gentleman secluded in 1648, I told them you had given judgment in it, and all people ought to acquiesce in that judgment; but to admit any members to sit in parliament, without a previous Oath or Engagement to secure the Government in being, it was never yet done in England. And although I said it not to them, I must say it with pardon, to you, That the less Oaths and Engagements are imposed, (with respect had to the security of the Common Cause) your settlement will be the sooner attained to. I am the more particular in these matters, to let you see how grateful your present consultations about these things will be to the people. I know all the sober gentry will heartily close with you, if they may be tenderly and gently used; and I am sure you will so use them, as knowing it to be our common concern, to expatiate, and not to narrow our interests: and to be careful neither the cavalier nor fanatic party have yet a share in your civil or military power; of the last of whose impatience to government, you have had so severe experience.—I should say something of Ireland and Scotland: Indeed Ireland is in an ill condition, and made worse by your sudden interruption, which prevented the passing an Act for the Settlement of the Estates of Adventurers and Soldiers there, which I heard you intended to have done in a few days; and I presume it will be quickly done, being so necessary at this time, when the wants of the Commonwealth call for Supplies, and people will unwillingly pay Taxes for those estates of which they have no legal assurance. I need not tell you how much your favour was abused in the nomination of your Officers of your Army there: their malice hath been sufficiently manifested. I dare affirm that those now that have declared for you, will continue faithful, and thereby evince, that, as well there as here, it is the sober interest that must establish your Dominion.—As for Scotland; I must say the people of that nation deserve much to be cherished; and I believe your late Declaration will much glad their spirits; for nothing was more dreadful to them, than a fear to be over-run with fanatic notions.—I humbly recommend them to your affection and esteem, and desire the intended Act of Union may be prosecuted, and their taxes made proportionable to those in England, for which I am engaged, by promise, to be an humble suitor to you. And truly, sir, I must ask leave to entreat you to make a speedy provision for their civil government, of which they have been dsstitute near a year, to the ruin of many families; and except commissioners for manage-

* From a single Pamphlet, intituled, "The Lord-General Monk's Speech, delivered by him in the Parliament, on Monday, Feb. 6, 1659. Edinburgh, re-printed by Christopher Higgins, in Hart's Close, over-against the Trone Church, 1660."

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ment of the government, and judges to sit in courts of judicature, be speedily appointed, that country will be very miserable. I directed Mr. Gumble lately to present to you some names, both of commissioners and judges: but by reason of your great affairs, he was not required to deliver them in writing to you. I now humbly present them to your consideration."

"This Speech," says Mr. Hume, "containing matter which was both agreeable and disagreeable to the house as well as to the nation, still kept every one in suspense, and upheld that uncertainty, in which it seemed the general's interest to retain the public. But it was impossible for the kingdom to remain long in this doubtful situation: the people, as well as the parliament, pushed matters to a decision. During the late convulsions, the payment of Taxes had been interrupted; and though the parliament, upon their assembling, renewed the Ordinances for Impositions, yet so little reverence did the people pay to those legislators, that they gave very slow and unwilling obedience to their commands. The common-council of London flatly refused to submit to an Assessment required of them; and declared that, till a free and lawful parliament imposed taxes, they never should deem it their duty to make any payment. This resolution, if yielded to, would immediately have put an end to the dominion of the parliament: they were determined, therefore, upon this occasion to make at once a full experiment of their own power and of their general's obedience.

Feb. 9. General Monk received orders to march into the city; to seize 12 persons, the most obnoxious to the parliament; to remove the posts and chains from all the streets; and to take down and break the portcullises and gates of the city: and very few hours were allowed him to deliberate upon the execution of these violent orders: to the great surprise and consternation of all men, Monk prepared himself for obedience. Neglecting the entreaties of his friends, the remonstrances of his officers, the cries of the people, he entered the city in a military manner, he apprehended as many as he could of the proscribed persons, whom he sent to the Tower; with all the circumstances of contempt he broke the gates and portcullises; and having exposed the city to the scorn and derision of all who hated it, he returned in triumph to his quarters in Westminster.—No sooner had the General leisure to reflect, than he found, that this last measure, instead of being a continuation of that cautious ambiguity, which he had hitherto maintained, was taking party without reserve, and laying himself, as well as the nation, at the mercy of that tyrannical parliament, whose power had long been odious, as their persons contemptible, to all men. He resolved, therefore, before it was too late, to repair the dangerous mistake into which he had been betrayed, and to show the whole world, still more without reserve, that he meant no longer to be the minister of violence and usurpation."

Feb. 11. After complaining of the odious service in which he had been employed, General Monk wrote a Letter to the house, reproaching them, as well with the new cabals which they had formed with Vane and Lambert, as with the encouragement given to a fanatical Petition presented by Praise-God Barebone; and he required them, in the name of the citizens, soldiers, and whole Commonwealth, to issue writs, within a week, for the filling of their house, and to fix the time for their own dissolution and the assembling of a New Parliament. Having dispatched this Letter, which might be regarded, he thought, as an undoubted pledge of his sincerity, he marched with his Army into the city, and desired Allen, the mayor, to summon a Common-Council at Guildhall. He there made many apologies for the indignities which, two days before, he had been obliged to put upon them; assured them of his perseverance in the measures which he had adopted; and desired that they might mutually plight their faith for a strict union between City and Army, in every enterprize for the happiness and Settlement of the Commonwealth.—It would be difficult to describe the joy and exultation, which displayed itself throughout the city, as soon as intelligence was conveyed of this happy measure, embraced by the General. The prospect of peace, concord, liberty, justice, broke forth at once, from amidst the deepest darkness in which the nation had ever been involved. The view of past calamities no longer presented dismal prognostics of the future: it tended only to enhance the general exultation for those scenes of happiness and tranquillity, which all men now confidently promised themselves. The Royalists, the Presbyterians, forgetting all animosities, mingled in common joy and transport, and vowed never more to gratify the ambition of false and factious tyrants, by their calamitous divisions. The populace, more outrageous in their festivity, made the air resound with acclamations, and illuminated every street with signals of jollity and triumph. Applauses of the General were every where intermingled with detestation against the Parliament. The most ridiculous inventions were adopted, in order to express this latter passion. At every bonfire *rumps* were roasted,* and where these could no lon-

* "Monday at night (Feb. 13) was a great rejoicing in Oxon for the news, that then was brought, that there should suddenly be a Free-Parliament. The bells rang, and bonfires were made, and some rumps and tails of sheep were flung into a bonfire at Queen's College gate. Dr. John Palmer, a great Rumper, Warden of All Souls College in the place of Dr. Sheldon, being then very ill and weak, had a Rump thrown up from the street at his windows. He had been one of the Rump Parliament, and a great follower of Oliver." Wood's Life, written by himself. See Oxoniana, vol. iv. p. 217. London, 1807.

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ger be found, pieces of flesh were cut into that shape; and the funeral of the parliament (the populace exclaimed) was celebrated by these symbols of hatred and derision.—The parliament, though in the agonies of despair, made still one effort for the recovery of their dominion. They sent a Committee with offers to gain the General. He refused to hear them, except in the presence of some of the Secluded Members. Though several persons, desperate from guilt and fanaticism, promised to invest him with the dignity of supreme magistrate, and to support his government, he would not hearken to such wild proposals. Having fixed a close correspondence with the city, and established its militia in hands whose fidelity could be relied on, he returned with his army to Westminster, and pursued every proper measure for the Settlement of the nation. While he still pretended to maintain republican principles, he was taking large steps towards the re-establishment of the ancient monarchy.

Feb. 21. The Secluded Members, upon the General's invitation, went to the house, and finding no longer any obstruction, they entered, and immediately appeared to be the majority: most of the Independents left the place. The restored members first repealed all the Ordinances, by which they had been excluded: they gave sir George Booth and his party their liberty and estates: they renewed the General's commission, and enlarged his powers."

General Monk's Speech and Declaration to the Parliament.] This day, a letter from general Monk, at Whitehall, of the 21st of Feb. 1659, was read: This is all the intimation the Journals give us of a Letter of this date; but the old Collection which we have mentioned calls it a Speech and a Declaration which the General made to the house at Whitehall, Feb. 21, from which authority we shall here introduce them:*

The SPEECH of his Excellency the Lord General Monk.

"Gentlemen; You are not, I hope, ignorant what care and endeavours have been used, and means essayed, for healing the breaches of our divisions amongst ourselves; and that, in order thereunto, divers conferences have been procured between you, though to small effect; yet having at length received fuller satisfaction from these worthy gentlemen that were secluded than formerly, I was bold to put you all to the trouble of this meeting, that I might open myself to you all, even with more freedom than formerly: but, lest I might be misapprehended or mistaken, as of late it befel me, I have committed to writing the Heads of what I intended to discourse to you, and desire it may be read openly to you all."

The DECLARATION.

"Gentlemen; It appears unto me, by what I have heard from you and the whole nation, that the peace and happy Settlement of these bleeding nations, next under God, lieth in your hands. And when I consider that wisdom, piety, and self-denial, which I have reason to be confident lodgeth in you; and how great a share of the nation's sufferings will fall upon you, in case the Lord deny us now a Settlement, I am in very good hopes there will be found in you all such melting bowels towards these poor nations, and towards one another, that you will become healers and makers-up of all its woeful breaches. And that such an opportunity may clearly appear to be in your hands, I thought good to assure you, and that in the presence of God, that I have nothing before my eyes but God's glory, and the Settlement of these nations upon Commonwealth foundations: in pursuit whereof I shall think nothing too dear; and, for my own particular, I shall throw myself down at your feet, to be any thing or nothing in order to these great ends.—As to the way of future Settlement, far be it from me to impose any thing; I desire you may be in perfect freedom; only give me leave to mind you, that the old foundations are, by God's providence, so broken, that, in the eye of reason, they cannot be restored, but upon the ruin of the people of these nations, that have engaged for their rights in defence of the parliament, and the great and main ends of the Covenant, for uniting and making the Lord's name one in the three nations. And also the liberty of the people's representatives in parliament will certainly be lost; for if the people find that, after so long and bloody a war against the king for breaking in upon their liberties, yet at last he must be taken in again, it will be out of question, and is most manifest, he may for the future govern by his will, dispose of parliaments and parliament men as he pleaseth, and yet the people will never more rise for their assistance.—And as to the interests of this famous city, (which hath been, in all ages, the bulwark of parliaments, and unto whom I am, for their great affection, so deeply engaged) certainly it must lie in a Commonwealth; that government only being capable to make them, through the Lord's blessing, the metropolis and bank of trade for all Christendom, whereunto God and nature hath fitted them above all others.—And as to a Government in the Church, the want whereof hath been no small cause of these nations distractions; it is most manifest, that, if it be Monarchical in the State, the Church must follow, and prelacy must be brought in; which these nations, I know, cannot bear, and against which they have so solemnly sworn: and indeed moderate, not rigid, Presbyterian government, with a sufficient liberty for consciences truly tender, appears at present to be the most indifferent and acceptable way to the Church's Settlement.—The main thing that seems to lie in the way is the interest of the lords, even of

* These were also printed by themselves in a single Pamphlet, by the General's Order, for John Playford, in the Temple, 1659.

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those lords who have shewed themselves noble indeed, by joining with the people; and, in defence of those just rights, have adventured their dearest blood and large estates. To that I shall only say, That though the State of these nations be such as cannot bear their sitting in a distinct house, yet certainly the wisdom of parliament will find out such hereditary marks of honour for them, as may make them more noble in after ages.—Gentlemen; Upon the whole matter, the best result that I can make at present for the Peace of these nations, will be, in my opinion, that you forthwith go to sit together in parliament, in order, 1. To the settling the Conduct of the Armies of the three nations in that manner as they may be serviceable to the peace and safety of them, and not to its own and the nations ruin by faction and division. 2. To the providing sufficient maintenance for them; that is, for the Forces by land, and for the Navy by sea, and all the Arrears of both, and other contingencies of the government. 3. To the appointing a Council of State, with authority to settle the civil government and judicatories in Scotland and Ireland, and to take care for the issuing of writs for the summoning a Parliament of these three nations united, to meet at Westminster the 20th of April next, with such Qualifications as may secure the public cause we are all engaged in, and according to such distributions as were used in 1654: which parliament, so called, may meet and act in freedom, for the more full establishing of this commonwealth without a king, single person, or house of lords. 4. To a legal Dissolution of this parliament, to make way for succession of parliaments.—And, in order to these good ends, the guards will not willingly only admit you, but faithfully, both myself and every the officers, under my command; and, I believe, the officers and soldiers of the three nations, will spend their blood for you and successive parliaments. If your conjunction be directed to this end, you may part honourably, having made a fair step to the Settlement of these nations, by making a way for successive parliaments.—But I must needs say, that if any different counsels should be taken, which I have no reason to fear, these nations would presently be thrown back into force and violence, and all hopes of this much-desired establishment be buried in disorder; which the Lord, in his great mercy, I hope, will prevent: and so God speed you well together, and unite your hearts for the preservation of Peace, and Settlement of these nations to his own glory, and yours and all our comforts."

A Council of State appointed: and a Bill for the Dissolution of the Parliament brought in.] Feb. 24. This Speech and Declaration appears to have been very pleasing to the members, for this day, the Bill for constituting Monk Captain-General and Commander in Chief of all the land-forces in England, Scotland, and Ireland, was read a 1st and 2nd time, and committed. —Instructions for the new Council of State were also debated this day, and many Additions and Alterations made to them; after which they were ordered to be ingrossed. The question being put, That a particular time be limited for the continuance of the Council of State, it passed in the negative, 36 against 26, and it was agreed, that the time should be till the parliament take further order. Lastly, a Bill was ordered to be brought in, for the Dissolution of this present Parliament; and that Mr. Annesley, Mr. Prynne, and Mr. Solicitor-General do prepare and bring in the said Bill.

Feb. 25. The Bill for constituting general Monk, Captain-General, &c. was read a 3rd time.—Another Bill was read a first time, for settling the Honour and Manor of Hampton-Court, and other Lands, upon general Monk, and his heirs.—The Bill for constituting a Council of State, with Instructions, was read a 3rd time and passed.

Feb. 27. A Committee was appointed to consider who were in Prison and upon what account; who were fit to be discharged from their Imprisonment, and the Sequestrations of their Estates suspended; and present their opinions thereon to the parliament.

John Thompson and John Thurloe, esqrs. being both nominated for a Secretary of State, the house divided on the question, when Thurloe, who had been secretary to Oliver Cromwell, was elected by a majority of 65 to 38.

A Bill for disolving this present Parliament was this day read once, and referred back to the committee who brought it in, to prepare a Form of a Writ for election of members to sit and serve in parliament, and how, and in what manner, the new parliament should be summoned.—Another Bill, for settling the Militia in the several counties of the Commonwealth, was also read a first time.

Feb. 29. The first thing the house did was to return Thanks to Mr. Calamy and Mr. Manton, for their great pains taken the day before in Margaret's Church, Westminster, in carrying on the Work of Thanksgiving for the Union of the Parliament, and restoring the Members of it to the discharge of their trust. Immediately after, a Committee was appointed to consider of settling of Ministers, and all matters concerning Religion and the Confession of Faith.

March 1. This day, a Committee was appointed to consider of the State of the Revenue of the Commonwealth; what the Charge of it is; what Obstructions hinder the bringing-in of the Revenue; how the State of the Debts stand; and how the Revenue may be managed for the best advantage of the Commonwealth. The same day the Question being put, That the Dissolution of this Parliament shall be on or before the 15th instant, it was carried in the affirmative, without any division.

March 5. An Act, declaring the public Confession of Faith of the Church of England, was read a 3rd time.—A Proclamation was ordered out, for putting all the laws and statutes against Popish Recusants, Priests, and

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Jesuits, in speedy and effectual execution. The Solemn League and Covenant was once more revived, and ordered to be printed and published, set up, and forthwith read in every Church; and that the said Solemn League shall be also put in the house.

March 8. The Bill for calling and holding a New Parliament, to sit at Westminster the 25th of April, 1660, was brought in and read a 1st time.

March 9. The Act for calling and holding a New Parliament was read a 2nd time and committed; but the question being put, That this Bill be committed to a Grand committee of the whole house, it passed in the Negative, 84 against 66.

March 13. The house resolved, That the Engagement, appointed to be taken by Members of Parliament and others, in these words, viz. 'I do declare and promise, That I will 'be true and faithful to the Commonwealth of 'England, as the same is now established, 'without a King or House of Lords,' be discharged and taken off the file: also, That all Orders, enjoining the taking of the said Engagement, be, and are hereby, vacated and expunged out of the Journal-Book of parliament. Mr. Prynne, serjeant Maynard, and col. Harley, were ordered to see it done accordingly.—Ordered, "That it be referred to a committee to consider what had been done in this house concerning the Lords House, to state the matter of fact, and report it to the parliament the next morning."

March 14. A Bill for reviving the Court of the Duchy-Chamber of Lancaster was read a 3rd time, and passed. Sir Gilbert Gerrard was voted Chancellor of the Duchy-Court of Lancaster, and Nicholas Lechmere, esq. Attorney of the same.—Another Bill, for restoring Wm. Lenthall, esq. Speaker of the Parliament, to the Chamberlainship of Chester, was also passed.

March 15. An engrossed Bill for settling Lands on his excellency the lord-general Monk, and his heirs, was read a third time; and the question being put, That this Bill pass as a law, it was carried in the negative, 44 against 37: but at the same time it was resolved, "That the Sum of 20,000*l.* be conferred on his excellency the Lord-General: and that the same be charged upon the receipts of the public Exchequer."

March 15, p. m. Mr. Annesley reported from the Council of State, an Act for giving power to the said Council to act during the interval of parliament, in order to public safety: which was passed.

March 16. The Bill for conferring 20,000*l.* on General Monk, for his signal services, was read twice; but, on the third reading of it, the word 'signal' was changed for 'eminent,' and then the Bill passed. The General was also constituted by the parliament, steward of the honour and manor of Hampton-Court, and keeper of the house and parks there; with all the rights and privileges to the said Stewardship belonging, in as ample a manner as any steward of the same had heretofore enjoyed.—The Act for the Dissolution of this present Parliament was ordered to be read the first business in the afternoon, and nothing to intervene. Accordingly,

The Long Parliament dissolved.] March 16, p.m. A Bill, engrossed, for dissolving the Parliament begun and holden at Westminster, 3rd of November, 1640, and for the calling and holding of a Parliament at Westminster on the 25th of April, 1660, was read a third time, and the following Proviso was tendered: "That the single actings of this house, enforced by the pressing necessities of the present times, are not intended, in the least to infringe, much less take away, that antient native right which the House of Peers, consisting of those lords who did engage in the cause of the parliament against the Forces raised in the name of the late king and so continued to the year 1648, had and have to be a part of the parliament of England." Which proviso, being read twice, was agreed to be part of the Bill. Resolved, also, "That the day for the Dissolution of the Parliament shall be from this day, March 16, 1659." Then the Bill, so amended, being put to the question, passed, and was ordered to be printed and published.—Lastly, It was resolved, "That Friday the 6th of April next be set apart for a day of public Fasting and Humiliation, to be solemnized throughout the nation, under the sense of the great and manifold sins and provocations thereof; and to seek the Lord for his blessing upon the parliament, now shortly to be assembled, that the Lord will make them healers of our breaches, and instruments to restore and settle Peace and Government in the nations, upon foundations of Truth and Righteousness."

Thus ended the LONG PARLIAMENT, which, with innumerable alterations and several intermissions, had continued the scourge of the nation for nearly twenty years. What happened between this period and the meeting of the Parliament begun at Westminster, April the 25th, 1660, commonly called the CONVENTION PARLIAMENT, and which was sitting at the Return of King Charles II. and voted his Restoration, we shall give in the words of Mr. Hume. "On the Dissolution of the Long-Parliament, a Council of State was established, consisting of men of character and moderation; most of whom, during the Civil Wars, had made a great figure among the Presbyterians. The Militia of the kingdom was put into such hands as would promote order and settlement. These, conjoined with Monk's army, which lay united at London, were esteemed a sufficient check on the more numerous, though dispersed army, of whose inclinations there was still much reason to be diffident. Monk, however, was every day removing the more obnoxious officers, and bringing the troops to a state of discipline and obedience. Overton, governor of Hull, had declared his resolution to keep possession of that fortress till the coming of king Jesus: but when Alured produced the authority of

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parliament for his delivering the place to col. Fairfax, he thought proper to comply. Montague, who commanded the fleet in the Baltic, had entered into the conspiracy with sir George Booth; and pretending want of provisions, had sailed from the Sound towards the coast of England, with an intention of supporting that insurrection of the Royalists. On his arrival he received the news of Booth's defeat, and the total failure of the enterprise. The great difficulties, to which the parliament was then reduced, allowed them no leisure to examine strictly the reasons which he gave for quitting his station; and they allowed him to retire peaceably to his country-house. The Council of State now conferred on him, in conjunction with Monk, the command of the fleet; and secured the naval as well as military force in hands favourable to the public Settlement.—Notwithstanding all these steps which were taking towards the re-establishment of Monarchy, Monk still maintained the appearance of zeal for a Commonwealth, and hitherto allowed no canal of correspondence between himself and the king to be opened. To call a Free Parliament, and to restore the royal family, were visibly, in the present disposition of the kingdom, one and the same measure; yet would not the general declare, otherwise than by his actions, that he had adopted the king's interest; and nothing but necessity extorted at last the confession from him. His silence in the commencement of his enterprise, ought to be no objection to his sincerity; since he maintained the same reserve, at a time, when consistent with common sense, he could have entertained no other purpose.—There was one Morrice, a gentleman of Devonshire, of a sedentary, studious disposition, nearly related to Monk, and one who had always maintained the strictest intimacy with him. With this friend alone did Monk deliberate concerning that great enterprise which he had projected. Sir John Granville, who had a commission from the king, applied to Morrice for access to the general; but received for answer, that the general desired him to communicate his business to Morrice. Granville, though importunately urged, twice refused to deliver his message to any but Monk himself; and this cautious politician, finding him now a person, whose secrecy could be safely trusted, admitted him to his presence, and opened to him his whole intentions. Still he scrupled to commit any thing to writing: he delivered only a verbal message by Granville; assuring the king of his services, giving advice for his conduct, and exhorting him instantly to leave the Spanish territories, and retire into Holland. He was apprehensive lest Spain might detain him as a pledge for the recovery of Dunkirk and Jamaica. Charles followed these directions, and very narrowly escaped to Breda. Had he protracted his journey a few hours, he had certainly, under pretence of honour and respect, been arrested by the Spaniards.—Lockhart, who was governor of Dunkirk, and no wise averse to the king's service, was applied to on this occasion. The state of England was set before him, the certainty of the restoration represented, and the prospect of great favour displayed, if he would anticipate the vows of the kingdom, and receive the king into his fortress. Lockhart still replied, that his commission was received from an English parliament, and he would not open his gates but in obedience to the same authority. This scruple, though in the present emergence it approaches towards superstition, it is difficult for us entirely to condemn.—The elections for the new parliament went every where in favour of the king's party. This was one of those popular torrents, where the most indifferent, or even the most averse, are transported with the general passion, and zealously adopt the sentiments of the community to which they belong. The enthusiasts themselves seemed to be disarmed of their fury; and between despair and astonishment gave way to those measures, which, they found, it would be impossible for them, by their utmost efforts, to withstand. The Presbyterians and the Royalists, being united, formed the voice of the nation, which, without noise, but with infinite ardour, called for the king's restoration. The kingdom was almost entirely in the hands of the former party; and some zealous leaders among them began to renew the demand of those conditions, which had been required of the late king in the treaty of Newport: but the general opinion seemed to condemn all those rigorous and jealous capitulations with their sovereign. Harrassed with convulsions and disorders, men ardently longed for repose, and were terrified at the mention of negotiations or delays, which might afford opportunity to the seditious army still to breed new confusion. The passion too for liberty, having been carried to such violent extremes, and having produced such bloody commotions, began, by a natural movement, to give place to a spirit of loyalty and obedience; and the public was less zealous in a cause, which was become odious on account of the calamities which had so long attended it. After the legal concessions made by the late king, the constitution seemed to be sufficiently secured; and the additional conditions insisted on, as they had been framed during the greatest ardour of the contest, amounted rather to annihilation than a limitation of monarchy. Above all, the general was averse to the mention of conditions; and resolved that the crown, which he intended to restore, should be conferred on the king entirely free and unencumbered. Without farther scruple, therefore, or jealousy, the people gave their voice in elections for such as they knew to entertain sentiments favourable to monarchy; and all paid court to a party, which, they foresaw, was soon to govern the nation. Though the parliament had voted, that no one should be elected, who had himself, or whose father had borne arms for the late king, little regard was any where paid to this ordinance. The leaders of the presby-

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terians, the earl of Manchester, lord Fairfax, lord Robarts, Hollis, sir Anth. Ashley Cooper, Annesly, Lewis, were determined to atone for past transgressions by their present zeal for the royal interests; and from former merits, successes, and sufferings, they had acquired with their party the highest credit and authority.—The affairs of Ireland were in a condition no less favourable to the king. As soon as Monk declared against the English army, he dispatched emissaries into Ireland, and engaged the officers in that kingdom to concur with him in the same measures. Lord Broghil, president of Munster, and sir Charles Coote, president of Connaught, went so far as to enter into a correspondence with the king, and to promise their assistance for his restoration. In conjunction with sir Theophilus Jones, and other officers, they took possession of the government, and excluded Ludlow, who was zealous for the Rump-parliament, but whom they pretended to be in a confederacy with the committee of safety. They kept themselves in readiness to serve the king; but made no declarations, till they should see the turn which affairs took in England.—But all these promising views had almost been blasted by an untoward accident. Upon the admission of the Secluded Members, the Republican party, particularly the late King's Judges, were seized with the justest despair, and endeavoured to infuse the same sentiments into the Army. By themselves or their emissaries, they represented to the soldiers, that all those brave actions, which had been performed during the war, and which were so meritorious in the eyes of the parliament, would no doubt be regarded as the deepest crimes by the Royalists, and would expose the army to the severest vengeance. That in vain did that party make professions of moderation and lenity: the King's Death, the Execution of so many of the nobility and gentry, the Sequestration and imprisonment of the rest, were in their eyes crimes so deep, and offences so personal, as must be prosecuted with the most implacable resentment. That the loss of all Arrears, and the cashiering of every officer and soldier, were the lightest punishment which must be expected: after the dispersion of the Army, no farther protection remained to them, either for life or property, but the clemency of enraged victors. And that, even if the most perfect security could be obtained, it were inglorious to be reduced, by treachery and deceit, to subjection under a foe, who, in the open field, had so often yielded to their superior valour.—After these suggestions had been infused into the army, Lambert suddenly made his escape from the Tower, and threw Monk and the Council of State into great consternation. They knew Lambert's vigour and activity; they were acquainted with his popularity in the Army; they were sensible, that, though the soldiers had lately deserted him, they sufficiently expressed their remorse and their detestation of those, who, by false professions, they found, had so egregiously deceived them. It seemed necessary, therefore, to employ the greatest celerity in suppressing so dangerous a foe: col. Ingoldsby, who had been one of the late king's Judges, but who was now entirely engaged in the Royal Cause, was dispatched after him. He overtook him at Daventry (April 22), while he had yet assembled but four troops of horse. One of them deserted him. Another quickly followed the example. He himself, endeavouring to make his escape, was seized by Ingoldsby, to whom he made submissions not suitable to his former character of spirit and valour. Okey, Axtel, Cobbet, Crede, and other officers of that party, were taken prisoners with him. All the roads were full of soldiers hastening to join them. In a few days they had been formidable. And it was thought, that it might prove dangerous for Monk himself to have assembled any considerable body of his Republican army for their suppression: so that nothing could be more happy than the sudden extinction of this rising flame."—Thus far Mr. Hume. The New Parliament met on the 25th April, according to appointment, and with the Proceedings of this ever-memorable CONVENTION we shall commence our Fourth Volume.

APPENDIX.

A LIST OF PUBLIC ACTS *passed from the First to the Sixteenth Year of the Reign of* CHARLES I. *viz. from the Years* 1625 *to* 1640. *From which Period to the Restoration in* 1660, *there is an Hiatus in the Statutes at Large. A List of the numerous Acts and Ordinances passed during the Common-Wealth will be found in Scobell's Collection.*

1 Car.—1. An Act for punishing divers abuses committed on the Lord's Day, called Sunday.—2. To enable the King's Majesty to make leases of lands, parcel of his highness duchy of Cornwall, or annexed to the same.—3. For the ease in obtaining of Licenses of Alienation.—4. For the further restraint of Tipling in inns, alehouses, and other victualling-houses.—5. For three intire Subsidies granted by the spiritualty.—6. For two intire Subsidies granted by the temporalty.—7. This session of Parliament (by reason of the increase of the sickness, and other inconveniences of the season requiring a speedy adjournment, nevertheless) shall not determine by his majesty's royal assent to this and some other Acts.

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3 Car.—The Petition exhibited to his majesty by the Lords Spiritual and Temporal and Commons in this present parliament assembled, concerning divers rights and liberties of the subjects.

1.—An act for the further Reformation of sundry Abuses committed on the Lord's Day, commonly called Sunday.——2. To restrain the passing or sending of any to be popishly bred beyond the seas.—3. For the better suppressing of unlicensed Alehouse-keepers.—4. For repeal and continuance of divers Statutes.—5. Confirming a late composition made with the tenants of Bromfield and Yale, in the County of Denbigh.—6. For five Subsidies granted by the spiritualty.—7. For five Subsidies granted by the temporalty.

6 Car.—1. For the preventing of inconveniences happening by the long intermission of Parliament.—2. For relief of his Majesty's Army, and the Northern Parts of the Kingdom.—3. For the reforming of some things mistaken in the late Act made this present parliament, for the granting of four Subsidies, intituled, An Act for the Relief of his Majesty's Army.—4. For the further relief of his majesty's army, and the northern parts of the kingdom.—5. For the better raising and levying of mariners, sailors, and others, for the present guarding of the seas, and necessary defence of the realm.—6. Concerning the limitation and abbreviation of Michaelmas term.—7. To prevent inconveniencies by the untimely adjournment of parliaments.—8. A Subsidy granted to the King of Tonnage, Poundage, and other sums of money, payable upon merchandize exported and imported.—9. For the speedy provision of money for disbanding the armies, and settling the peace of the two kingdoms of England and Scotland.—10. For the regulating of the Privy Council, and for taking away the Court commonly called the Star-Chamber.—11. A repeal of the branch of a Statute primo Elizabethæ, concerning Commissioners for Causes Ecclesiastical.—12. A Subsidy granted to the King of Tonnage and Poundage, and other sums of money payable upon merchandizes exported and imported.—13. For the securing such monies as are or shall be due to the inhabitants of the County of York, and the other adjoining Counties, wherein his majesty's army is or hath been billeted.—14. For the declaring unlawful and void the late proceedings touching Ship-Money, and for the vacating all records and process concerning the same.—15. Against divers Incroachments and oppressions in the Stannary Courts.—16. For certainty of Forests, and of the meets, meers, limits and bounds of the forests.—17. For the pacification between England and Scotland.—18. For securing, by publick faith, the remainder of the friendly assistance and relief promised to our brethren of Scotland.—19. For the ordering and regulating of the office of clerk of the market, allowed and confirmed by this statute, and for the reformation of weights and measures.—20. For the prevention of vexatious proceedings touching the order of knighthood.—21. For the free bringing in of Gunpowder and Saltpetre from foreign parts, and for the free making of gunpowder in this realm.—22. A Subsidy granted to the king of tonnage and poundage, and other sums of money, payable upon merchandize exported and imported.—23. For the raising of Mariners and Sailors for the guarding of the seas and his majesty's dominions.—24. To relieve Captives taken by the Turks, and to prevent the taking of others hereafter.—25. A Subsidy granted to the king of tonnage and poundage, &c. from the last of November 1641; to the first of Feb. next, and the like until the second of July 1642.—26. For the raising of Mariners and Sailors for the guarding the seas and his majesty's kingdoms.—27. For the disenabling all persons in holy orders to exercise any temporal jurisdiction or authority.—28. For the raising of soldiers for the defence of England and Ireland.—29. A Subsidy granted to the king of tonnage and poundage, and other sums of money, payable upon merchandize exported and imported.—30. For a Contribution and Loan for the distressed people of Ireland.—31. A Subsidy granted to the king, of tonnage and poundage, and other sums of money, payable upon merchandize exported and imported.—32. For the raising and levying of monies for the necessary defence, and great affairs of the kingdoms of England and Ireland, and for the payment of debts undertaken by parliament.—33. For the reducing the Rebels in Ireland to their obedience to his majesty and the crown of England.—34. For an explanation of a former Act for the reducing the rebels in Ireland.—35. To enable corporations to adventure in Ireland.—36. A Subsidy granted to the king of tonnage, poundage, and other sums of money payable upon merchandize exported and imported.—37. For the further reducing of the rebels in Ireland to their obedience to the king and crown of England.

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The following is a Copy of the Tract alluded to at Page 985. It was printed in the Year 1660, almost immediately after the Dissolution of the Long Parliament, and is now become very scarce.

THE

MYSTERY

of the

Good Old Cause

Briefly unfolded:

In a Catalogue of such Members of the late Long Parliament, that held Places, both Civil and Military, contrary to the Self-denying Ordinance of April 3, 1645.*

Together with

The Sums of Money and Lands which they divided among themselves during their sitting, (at least such as was disposed of by them publicly.)

Quò non mortalia pectora cogit,
Auri sacra fames?——

LONDON:

Printed in the first year of England's Liberty, after almost twenty years slavery. 1660.

To the Reader.

I suppose all but such as wilfully shut their own eyes against the greatest evidence in the world, are long since convinced what the designs, aims, interest, and projects of the ringleaders in the late Long Parliament were in involving these nations in a miserable and destructive war. Their pretences were no doubt the most specious and plausible that could be imagined, *Defence of Religion*, and *the Subjects Freedom*, but alas! never were these things more *pretended* to, and less in *reality* designed; greatness, wealth, and command were the inducements of the most hypocritical persons in the world to profane the name of God, by calling their cursed *ambition* his *Cause*, to murder so many innocent persons both by the civil and military sword, to ruin so many noble families by depriving them of the subsistence left them for many years from their ancestors, and at length, as the top of all wickedness, (having by the divine permission defeated the force of their sovereign) to murder him under the pretence of justice, for a tyrant; when as it were no hard matter to make it good against any gainsayer whatsoever, that no nation under the sun lived more happily and freely then we, during the reign of the most excellent and religious king, nor any more miserably and slavishly, than since his death. The following Catalogue will present the perusers with an account of some of the late Parliament men's advantages by our miseries, fairly, and, as far as possible, truly collected. It must not be expected to find all those mentioned here whose hands hath been filled at the price of many thousand men's blood and destruction; nor is it to be thought, that those that were mentioned, got no more than what they are said to have gotten in this Catalogue. For such officers as were not of the house are wholly omited, though they had their share in the spoil, and got palaces and great estates of noblemen and others, as a reward of their fidelity to the enslavers of their country; and the Members divided and got vast sums of money in the dark, and connived at one another's cheating of the public. Otherwise, what became of those incredible sums raised by sale of the revenue of the King, Bishops, Delinquents, Compositions, Excise, horrible and oppressive Taxes, whereas their common soldiers were paid after the most sordid and dishonourable way that ever was heard of; for being unable to double their arrears and purchase lands, they were inforced to sell them at extreme inconsiderable rates to their false and abominable masters, the Members of Parliament. All which being considered, it will be no wonder they were so loth to dissolve, and unwilling to hear of another representative. Which, God be thanked, is at length assembled together with the House of Peers and the King's most excellent Majesty, whose counsels and purposes Almighty God prosper and bless; but let destruction be the reward of our destrovers, let the prey be torn out of their teeth, let the blood they have shed fall upon their own heads, and let their names be detested and infamous to all posterity!

*Note, that such as have this mark * before their Names were Recruters of that Long Parliament, and illegally chosen, and those of them that were the King's Judges have this mark.* ‡

William Allenson, Kt. Alderman of York, was made Clerk of the Hamper, a place worth 1000*l.* per ann. had Crable Castle worth 600*l.* per an. once the Bishop of York's, and hath purchased a vast revenue of Bishops lands at easy rates.

John Ash, had given him out of Master Coventry's composition 4000*l.* out of Sir Edward

* The Ordinance itself will be found at page 255.

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Moseley's 1000*l.* out of Mr. Edward Phillips's 1200*l.* out of sir John Stowel's Estate, 8000*l.* and (which is worth all this) was the great Chairman at Goldsmiths Hall; is not this better than Cloathing.

‡ *Francis Allen*, a Goldsmith at St. Dunstan's in Fleet-Street, was made Customer of London, besides other offices and gifts, and hath purchased at low rate the Bishop of Chester's house at Winchester and Waltham, was one of his Sovereign's Judges, and a constant Rumper.

‡ *John Alured*, Col. and one of his Sovereign's Judges, and a constant Rumper.

Thomas Atkins, Alderman, as honest as sweet: he was a Treasurer at War, and licked his fingers at the time the major part of the house of parliament was, by unheard-of insolence, secluded from sitting. He was the only member left in it that served for the city of Norwich, and was a constant Rumper to the last.

Edward Ash, Woollen-draper, Treasurer for providing of Cloaths for the Irish Soldiers.

* *William Ayscough*, Captain of a Troop of Horse.

William Armyne, Knt. Agent in Scotland for the State; a factious wicked one in his way.

William Armyne, Colonel.

—— *Ashurst*, went a Commissioner into Scotland, had the Clerk of the Peace's place for Lancashire, and 1000*l.* in money given him.

*‡ *John Bradshaw*, Serjeant of the Law, Lord-President of the High Court of injustice, and President of the Council of State. There was given him (besides the earl of St. Albans's Manor of Summers-Hall, in Kent, worth 1500*l.* per Annum) the lord Cottington's Estate, called Fantehill, in Wiltshire, his Manor of Hanworth, near Hunslow, in Middlesex, and the Dean's House at the College at Westminster. He was one of the Judges of the Sheriff's Court in Guildhall, London, and Justice of the County Palatine of Chester. After the most notorious villanies that ever were committed, for the keeping up a Tail of a Parliament in perpetual power, he saw it interrupted for almost six years together, and at length died, during the last interruption of it by Lambert.

Edward Bishe, Garter Herald in sir Edward Walker's place, worth 3 or 400*l.* per annum: an honest man.

* *John Bond*, son to Dennis Bond, a parliament man, made master of Trinity-Hall, in Cambridge, which Mr. Selden refused to accept of.

* *Nathaniel Bacon*, had given him 3000*l.* afterwards Master of the Requests to the Cromwells, during the greatest part of their Usurpation, his salary for which was 500*l.* per Ann. and it is likely would be in the same office for whomsoever would pay him the same wages.

Sir *William Brereton*, Colonel, General for the Cheshire Forces, had the Sequestration of Cashioberry, and other lands of the lord Capel, worth 2000*l.* per Annum, and the Archbishop's House and Lands at Croydon, where he hath turned the chapel into a kitchen.—A goodly Reformation, and fits with his stomach as well as his religion. He was one of the Rumpers, and a base coward.

‡ *John Blakeston*, a Shop-keeper in Newcastle, was executor to the executor of sir Jo. Farmer, trusted with 6000*l.* for charitable uses, and was sued in Chancery to perform the trust, but got himself returned a burgess for Newcastle, by the Scots Garrison there; had 3000*l.* given him out of the marquis of Newcastle's and the lord Widdrington's estates, in compensation of the loss of his pedlar's ware in his shop. He had formerly given him 14,000*l.* and 500*l.* was given to his brother John, as was made appear before a committee, whereof Mr. Sandis of the Temple was chairman. He had also a coal-meter's place, worth 200*l.* per annum, and the bishop of Durham's Castle at Durham, and lands of great value. He was one of the King's Judges.

* *John Birch*, colonel, afterwards a secluded Member.

Godfrey Boswell, colonel.

Richard Brown, major-general and governor of Abingdon, was afterwards prosecuted for designing to secure the city of London, when Fairfax, by the command of his lieut. general Cromwell, marched with his Army against the City, the chiefest occasion and inlet of all our woes. He was imprisoned for the most part of the Rumps and Oliver's tyranny, and hath manifested himself, both by his actings and sufferings, a cordial lover both of his Prince and country, and hath been a very active instrument for the good of these kingdoms.

William Bingham, colonel of horse and foot, Governor of Pool, had given him 1000*l.*

John Brown, married sir Richard Trenchard's sister, a petty Committee-Man, seized 1000*l.* of the stock and goods of Farmer Wades, in Portland, whom, though the Committee acquitted of Malignancy, yet could not his goods, (being in the hands of a member) be re-delivered: so they are malignant still, and secured in Mr. Brown's hands.

‡ *Dennis Bond*, a Woollen-draper, he takes, by his trustees, his sons and brother; one son he made Master of Trinity-Hall, in Cambridge, another Auditor of the Excise, worth 500*l.* per Annum; and his brother, Governor of Portland, Receiver of the King's Rents in Southampton and Somerset. He was one of the King's Judges.

John Bell, Apothecary to the body politic, hath as litttle given him as he deserves in honest times; but, to preserve the privilege of the house, is protected for what he can get. He was a Trustee for the Poor at Westminster; Receiver of Mr. Anthrobus's and others Money for the Poor; was sued for an Account, said he could not answer without breach of privilege of parliament, and that he durst not; by which means parliament-men are the surest keepers of a trust.

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Thomas Boone, formerly a Tapster, had 6000*l.* given him: a cruel Committee-man, that licked his fingers, and hath got a vast Estate.

Richard Barry, colonel, Governor of Carlisle.

Francis Bacon, Recorder of Ipswich, in the place of Requests to both the Protectors, for the same salary with his brother Nat.

* Sir *Thomas Barnardiston*, colonel.

* *Robert Blake*, colonel, Governor of Taunton; and one of the Admirals of England.

‡ *Daniel Blagrave*, a counsellor at law, a great Committee-Man, Steward of Reading, and was made Treasurer of the said county; had given him the Exegenter's Office of the Common Pleas, worth 500*l.* per annum. He bought the king's fee farm of the great manor of Sunninge, in Berkshire, and other estates, at very easy rates; Master Extraordinary in Chancery, a constant Rumper, and one of his majesty's most cruel Judges: he was a great persecutor of the ministers of Reading, or else they slander him, which is hardly possible.

‡ *Oliver Cromwell*. This Scourge of God was, in the beginning of these Troubles, a man of no considerable fortune. There are letters of his to be seen in the hands of a person of quality, wherein he mentions his whole estate to amount to about 1300*l.* which at that time he intended to lay out upon a purchase of drained Fen Lands. He passed through the several degrees of military command, till he was advanced to be General of the Army, during which time he received great gifts out of the estates of the duke of Buckingham, the lord Francis Villers, the marquis of Worcester's estate, worth 5 or 6000*l.* per annum, and others, besides great sums of money at several times; and, it is said, for some years, the whole revenue of near all the Benefices in Wales, employing four itinerant teachers to coast about that country, for 100*l.* per annum a man; and took occasion to dissolve the Rump of the Long Parliament, just as they were going to call for the Accounts of that Money, which amounted to a vast sum. One would have thought all this, with the General's Pay, might have satisfied such a man's appetite, whose beginning was so mean; but, having projected greatness and sovereignty to himself from the beginning, he waded to it through the blood of his natural prince, and great numbers of his fellow subjects, and made himself Supreme Governor of these nations, under the title of Protector, which power he held with much oppression, dissimulation, hypocrisy, and bloodshed, for about five years, when God cut him off before he had well provided for the establishment of his son in the Succession. His Funeral was solemnized with great pomp, they say to the expence of 30,000*l.* which is yet unpaid. He spent a vast deal of treasure to maintain his tyranny; but he is gone to his own place, and let his memory be accursed for ever.

‡ *Miles Corbet*, at the beginning of this parliament, a man of small estate, made one of the Registers in Chancery, worth 700*l.* per annum, and hath money in his purse. He was ten times one of the Commissioners in Ireland, worth what he will per annum, and one of the King's Judges, and a Rumper.

Sir *John Clotworthy*, Treasurer for Ireland, and, by the Army, charged with defrauding the state of 40,000*l.* which may be one reason the king could never get an Account of the Money raised for the Irish, though he much desired it.

Thomas Ceely, much indebted, if not helped out of prison by the parliament, and made Recorder of Bridgewater.

‡ *Gregory Clements*, Merchant in both senses: when he had been a member two months, protested he had scarce cleared the Purchase Monies, which was but 60*l.* but said, Trading he doubted not would mend. He was one of the King's Judges.

Sir *Henry Cholmley*, col. of horse, and once a zealous commissioner of Yorkshire. Since, he hath given some testimonies of loyalty.

Robert Cecil, son to the earl of Salisbury, colonel of horse, procured one Collings to be made Auditor in Chief for the Revenues of the king, queen, and prince, worth 2000*l.* per annum; but in trust for the colonel.

Sir *Anthony Ashley Cooper*, a colonel; since, he hath manifested his loyalty to his Prince very eminently.

‡ *William Constable*, colonel, and one of the King's Judges. Sold his Lands to sir Marmaduke Langdale for 20,000*l.* and had them given him again by the parliament.

‡ Sir *John Danvers*, colonel. After the death of his brother, the earl of Denby, he proved him to be a Malignant, and, by parliamentary proceedings, endeavoured to overthrow his will, and out his sister Gargrave, and Sir Peter Osborne of the Estate worth 30,000*l.* and to have it himself. He was one of the King's Judges.

Edmund Dunce, Constable of Wallingford-Castle.

Henry Darly and *Richard Darly*. Given to their father, for them, 5000*l.*; a pair of zealous Rumpers; the former was extreme active in bringing in the Army of the Brethren of Scotland to the ruin of his native country. Both base.

William Ellis, Steward of Stepney, worth 200*l.* per annum, and by him sold to one of the Temple. He made haste to be rich, and was a mighty thriving Committee-Man during the late destructive wars: he was afterwards Solicitor-General to the two Protectors; was very zealous for the making of Oliver King, for which his good lord made him knight. He hath, from nothing, in a few years, got an estate supposed to be worth 3060*l.* per annum.

Sir *Walter Erle*, colonel of horse, and lieutenant of the Ordinance in sir John Heydon's place, worth 1000*l.* per Annum in time of peace; but, in time of war, worth 50,000*l.* per annum.

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Thomas Erle, son to sir Walter, captain of a troop of horse, seldom attended the house, but followed his business in the country, where he was a great Committee-man, helping himself and his friends.

* *James Fenwick*, captain of a troop of horse.

William Fenwick, had but 500*l.* So small a sum deserves not a Christian name.

Nathaniel Fiennes, once Governor of Bristol, and thereby hangs a tail; afterwards one of the Commissioners of the Seal under Nol, and one of his Privy Council; but now his lordship is gone.

‡ *George Fleetwood*, colonel, a constant Rumper, and one of the King's Judges.

* *Charles Fleetwood*, colonel, and lord-deputy of Ireland. This pitiful Anabaptist was Oliver's son-in-law, and, upon that score, advanced to be lieutenant-general of the Army; for merit he never had any. In the dividing of the murdered king's inheritance, Woodstock, and other rich possessions, fell to his share. About a year since he, with some other officers, ungratefully dethroned Protector Richard, restored the Rump for a while, and then unroofed them again; after which, during the space of near six weeks, he acted king at Wallingford-House, (one of his palaces) but the Rump coming to sit again, the tender-hearted mock-prince melted into tears; and, his hypocritical vizard of Religion being pulled off, he went off the stage ridiculously.

John Goodwin, the other Register in Chancery, worth 700*l.* per annum.

Sir *Gilbert Gerrard*, Pay-Master to the Army, had 3*d.* per pound allowed, worth 60,000*l.* and was Chancellor of the Duchy, worth 1200*l.* per annum.

Gilbert Gerrard, his second son, Clerk to the Duchy, for whose benefit the Clerkship of Assize of Norfolk is granted to Mr. Edward Gerrard, his cousin, by the procurement of sir Gilbert, and was worth 500*l.* per annum.

Gyles Green, the Receiver of Yorkshire, being put out of his place, got it for his son-in law; is Chairman for the Navy; and as for sir Thomas Dawes's Estate, and what it was worth to him, sir Thomas's Creditors will tell you, for they get nothing.

* *Thomas Gell*, lieut. colonel to sir John Gell, made Recorder of Derby in Mr. Allestrey's Place.

‡ *Thomas* lord *Grey*, of Groby, colonel, and hath given to him the Queen's Manor House, Park, and lands at Holmby; also purchased a large part of the lord Craven's estate, particularly Coombe-Abbey, judged worth 3000*l.* per annum, for an inconsiderable sum, and one of the King's Judges.

* *John Glyn*, some time a counsellor at law, and Steward of the Court at Westminster, one of the Long Parliament that helped to bait the worthy earl of Strafford, and bring him to the block; was Clerk of the Petty-Bag in sir Edward Warder's place, worth 1000*l.* per annum. He made his father-in-law, Mr. Squib, Clarenceaux Herald in sir William Neves's place, worth 400*l.* per annum, and made his creature and kinsman Falconbridge Comptroller of the Excise, a place worth 500*l.* per annum, as also a Receiver-General of the king's, queen's, and princes revenues, worth 2000*l.* per annum. Mr. Glyn conferred on his cousin Lawrence Swetnam the Wine-Office, worth 300*l.* per annum, and made him Receiver of the First-Fruits, worth 200*l.* per annum; but, Mr. Swetnam dying, he got both the places for his brother-in-law Bodardo, that they might not go out of the tribe. He was made Recorder of London; and then, being made a serjeant at law, by agreement, as it is said, resigned to Mr. William Steel, and was made a judge; and for his zeal in Conie's case, to advance the Protector's will above the law of the land, and finding him so fit for his purpose, he sent him into the west, (chief-justice Rolls refusing) to arraign that valiant gentleman col. Penruddock, and the rest of those gentlemen taken at Southmoulton, in Devon, by Article-breaking Crooke; for which good services, and his complying principles to advance the Protector, he was made lord chief justice of England, and no doubt behaved himself in the place as his master would have him, by whom he was also made a lord of his Other House; but that and he fell with the idol Dick. He was one of the eleven Members impeached by the Army for Treason, and by that parliament committed to the Tower.

Thomas Grantham, colonel of foot, since dead.

* *Ellis Grimes*, captain.

Arthur Goodwin, colonel of foot, since dead.

Brumpton Gurdon, colonel.

Sir *Arthur Haslerig*. This boisterous incendiary having, by base and vile courses, possessed himself of several coal-pits near Newcastle, was some years, as it may be feared, the occasion of the starving many poor people in London to death, through cold; for he, (being governor) without any public authority, laid a Tax of 4*s* per chaldron, upon the coals there, amounting to 50,000*l.* per annum. He got three great Manors of the bishops, Auckland, Everwood, and another, for an inconsiderable matter; he hath been an implacable enemy to one Mr. Collingwood, and wronged him of a great estate: he hath a rich fleece, reported to the value of 20,000*l.* per annum; but it is hoped he will, ere long, be sheared.

Sir *Edward Hungerford*, colonel, famous for plundering of Warder-Castle; had the lands of the countess dowager of Rutland, worth 1500*l.* per ann. and she was allowed but 500*l.* out of them.

‡ *Cornelius Holland*. His father died in the Fleet for debt, and left him a poor boy in the court, waiting on sir Henry Vane, then comptroller of the prince's house. He was still sir Henry Vane's zany, but now, coming in with his master for the revenue of the king, queen, and prince, this pharisee was engaged with

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other monopolists and patentees, while they stood, his conscience scrupling not the means where profit was the prize. He was turned out of the office of the Green Cloth for fraud and breach of trust; but, with the help of his master, made himself a Farmer of the king's Feeding-Grounds at Crestoe, in Buckinghamshire, worth 1800*l.* or 2000l. per ann. at the rate of 20*l.* per ann. which he discounted. He possessed Somerset-House a long time, where he and his family nested themselves. He was Keeper of Richmond-House for his country retreat, and Commissary for the Garrisons at Whitehall and the Mews. He had an office in the Mint, and, having ten children, he long since gave 5000*l.* with a daughter, after which rate we must conceive he had laid aside 50,000*l.* for portions. He was one of the King's Judges, and one of the Committee of Safety.

Sir *Robert Harley*, Master of the Mint in the place of sir Ralph Freeman, and sir Tho. Aylesbury. Before the parliament he was much indebted, very poor, and could not pay; now he is rich, and will not pay.

Henry Herbert had given him 3000*l.* and the plunder of Ragland-Castle.

John Hampden, colonel of foot, killed at Calgrove Field, where he made his first muster. His eldest son made since a lord by Oliver Cromwell.

Col. *Hacker*, Governor of Lincoln, a Commissioner to bring in the Scots, and one of the three to whom the bloody Warrant, for his late majesty's execution, was directed.

* Sir *Henry Hayman* had given him 5000*l.*

Denzil Hollis had 5000*l.* ordered him, but refused it, and desired them to pay their Debts before they paid their Legacies. He was one of the 11 Members impeached by the Army, was very hot in the beginning of the Troubles, but is since of a better temper, and hath contributed much to the restoration of his Prince, and his nation's peace.

Roger Hill, a barrister of the Temple, of no considerable estate till he had granted him, from the house, the bishop of Winchester's Manner of Taunton-Dean, being the best in England, worth 12,000*l.* per ann. when the Estates for lives determine. He was one of the Commissioners of Haberdashers-Hall.

‡ *John Hewson*, at first a Cobler of London, or at best a Shoe-maker, went out a captain upon the Account of the Cause. His zeal brought him to be a colonel, and was afterwards made Governor of Dublin in Ireland, from whence he was sent for to be one of Barebone's parliament, and of all the mock parliaments since; was made a Knight of the new stamp, and afterwards was thought a fit person to be a lord of the Other House: and, for his wisdom and good service in all his other employments, was thought worthy to be one of the 23 honourable persons of the Committee of Safety, that were to manage all public affairs of the nation, and to consider upon a frame of government to be established; but, in the heat of that great work, he was in all haste, by his brethren of that Committee, sent in a rage into London, to kill and still the innocent boys playing at foot-ball in the streets, much like his brother Pride, who cruelly destroyed the innocent bears. Afterwards the coroner's jury, that sat upon the murdered persons, found his lordship guilty. He had been tried at the sessions house in the Old Bailey, had not the news of his majesty's happy arrival prevented the sitting of that court; and no doubt, before this time, received the reward of his works. He was likewise one of the murderous Judges sitting upon his prince.

* *Oliver St. John*, the son of one Mr. St. John, of Bedfordshire, who was supposed to be a bye-blow of one of the earls of Bedford. This Oliver was a gentleman of slender fortune, brought up to the profession of the law; who, by special grace of his late majesty, was both his Solicitor and Attorney-General. He deserted his master, and, adhering to the parliament, was promoted to places of very great advantage many years together. He and Walter, called lord Strickland, were sent ambassadors to the United Provinces. He had also, many years together, the passing of all Fines and Compositions, said to be worth 5000*l.* per ann. He was also lord chief justice of the Common Pleas many years, a place of vast profit. He was made Chancellor of the University of Cambridge, in the earl of Manchester's room, a person signally anti-monarchical, till the Usurpation of Oliver Cromwell.

‡ *Henry Ireton*, commissary-general and colonel, lord-deputy of Ireland, one of the King's Judges, and one of the Appointers of the time and place of his execution.

‡ *Richard Ingoldsby*, colonel, and governor of Oxford, related to Cromwell, one of the King's Judges; but since a true penitent for it.

* Sir *Thomas Jarvis*, had Mr. Web's place in Richmond Little Park, and had 9000*l.* given him out of the marquis of Winchester's estate.

* *Philip Jones*, colonel, a member of the Long Parliament. His original is from Wales; at the first of the war it is said he had not above 20*l.* per ann. but hath since very much improved his interest upon account of the Cause; became governor of a garrison, and steward of some of the Protector's Lands in Wales; was a great stickler to advance his master to be Protector, for which good service he was advanced to be one of his Council, worth 1000*l.* per ann. afterwards Comptroller of his Household, or Court. He made hay while the sun shined, and hath improved his revenue, as it is believed, to 4000*l.* per ann. if not more. He was also one of the Rump.

‡ *John Jones*, at first a serving-man, then a colonel of the Long Parliament; was sent a Commissioner into Ireland for the governing that nation. He likewise helped to change the government, was governor of the Isle of Anglesey, married the Protector's sister, and thorough-paced for his court proceedings; who was thought fit, with his namesake and

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countryman Philip, to be called Lords, and to be taken out of the Rump into the Other House, to have a negative voice against the people. He was also one of his Prince's Judges:

William Lenthall, of Lincoln's-Inn, a Counsellor at Law, Speaker of the house of commons, worth 2000*l.* per ann. besides rewards for courtesies; Master of the Rolls, worth 3000*l.* per ann. besides the Sale of Offices; Chamberlain of Chester in the earl of Derby's place, and until lately, Chancellor of the Duchy of Lancaster, worth 1000*l.* per ann. He was a Commissioner of the Seal, worth 1500*l.* per ann. and had 6000*l.* one time given him by the house, and the Rectory and Demesne of Burford, with a stately house belonging to the lord Falkland, worth 500*l.* per ann. Oliver once made a spunge of him, and squeezed him out of 15,000*l.* who turning him and his tribe out of doors, he veered about to save himself and his great offices; and he that had been so long bell-weather in the commons house, was thought, for his compliance and his money, to deserve to be one of the herd of Lords in the Other House.

‡ *John Lisle*, Barrister of the Temple, Master of S. Crosses', in Dr. Lewis's place, being a place for a Divine, worth 800*l.* per ann. one of the lords commissioners of the Great Seal, worth 1500*l.* per ann. one of the King's Judges, afterwards became a Cromwellian, and swore Oliver, at his first installing, chief magistrate. He was President of the High Court of Justice, (so called) which tried sir Henry Slingsby, Dr. Hewit, &c. for treason against the Protector, and passed sentence of death against them.

‡ *Nicholas Love*, the son of Dr. Love, of Winchester, Mr. Speaker's chamber fellow in Lincolns-Inn, was made one of the six clerks in chancery, in Mr. Penruddock's place, worth 1000*l.* per ann. one of the Council of State in 1651; a constant Rumper, one of his Sovereign's cruel Judges, and one of the abjurators against kingly power.

* *John Lenthall*, son to the Speaker, made one of the six clerks, worth 1500*l.* per ann. knighted by Oliver Cromwell; was a colonel of foot, and governor of Windsor-Castle.

Sir *Oliver Luke*, colonel of horse.

Sir *Samuel Luke*, his son, colonel and scoutmaster for the counties of Bedford, &c.

‡ Sir *Michael Livesey*, of the Ise of Sheppey, in Kent, heretofore a colonel under sir Wm. Waller, but a most notorious coward; a penurious sneaking person, and one that could act an hypocrite to the life, in voice and humble gesture. He was one of his sacred majesty's cruel Judges, Committee-Man General of Kent, and an eminent Rumper.

Walter Long, colonel, had 5000*l.* and the office of Register in Chancery for four years.

Henry Lawrence, a Member of the Long Parliament, fell off at the Murder of his majesty, for which the Protector, with great zeal, declared, That a neutral spirit was more to be abhorred than a cavalier spirit, and that such men as he were not fit to be used in such a day as that, when God was cutting down kingship root and branch. Yet he came into play again, and contributed much to the setting up of the Protector and a single Person, affirming that no other foundation could stand; for which worthy service he was made and continued President of the Protector's Council, where he signed many arbitrary and illegal warrants for the carrying faithful honest men to prison, for their not apostatizing with them. He was thorough paced, and one, no doubt, who hath well feathered his nest, being also one of the Lords of the Other House: and when that honour vanished, he became one of the honourable Committee of Safety. What he will be next is worth the enquiry.

Lord viscount *Lisle*, eldest son of the earl of Leicester. He was of the Long Parliament to the last, and at the change of government, and making Laws against his sovereign: and, no question, concurred with the rest in these sad effects. He was also of the Little Parliament, commonly stiled Barebone's Parliament; was all along of the Protector's Council, and was never to seek; who having learned so much by changing with every change, and keeping still (like his father-in-law the earl of Salisbury and Peter Sterry) on that side which hath proved trump; nothing need further be said of his fitness, being such a man of principles, to be taken out of the Rump Parliament, to have settled a negative voice in that Other House, over all the good people of these lands.

* *Thomas Lister*, lieut. colonel, and deputy-governor of Lincoln.

‡ *Edmund Ludlow*, colonel, governor of Wardour-Castle, lieut. general of the horse, one of the king's Judges, a great fanatic, and favourer of such. He hath much improved his fortune in Ireland; but now is gone to seek his fortune elsewhere.

* *Thomas Moore*, Officer in the Custom-house, and his brother was governor of Ludlow-Castle.

‡ *Henry Martin*, colonel of a regiment of horse, and a regiment of whores. He had given him 3000*l.* at one time, to put him upon the holy sisters, and take off from the Levellers. He had the reputation of a precious saint from his youth, in reference to all kinds of debauchery, uncleanness, and fraud, having sold his estate three times over. He lay many years prisoner in the King's Bench for Debt, and disgraced the place by renewing the old stews upon the Bank-Side. He had several other large sums given, and was one of the king's Judges.

Sir *Thomas Middleton*, major-general for Denbigh, and five other counties, who hath manifested his loyalty to his Prince, and is a true patriot of his country.

‡ *Thomas Hammond*, of Surry, was lieut. general of the Artillery under the lord Fairfax, and became a great creature of that ambitious tyrant Cromwell, and a promoter of his inte-

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rests; by whom he was drawn in to be one of those most cruel Judges of his Prince, to the very great grief, and contrary to the admonitions, of his reverend bother Dr. Hammond.

‡ *John Moore*, colonel of the guards. For some time he had the benefit of passes out of London, and was one of the king's Judges.

Sir *John Merrick*, major-general.

‡ *Gilbert Millington*, a lawyer, had given him 1000*l.* was chairman to the committee of plundered ministers, where Phelps the clerk and he were believed to share their fees, worth God knows what. He was one of the king's Judges.

* *Richard Norton*, colonel, and governor of Southampton.

Anthony Nichols, Mr. Pym's nephew, by him was made Pay-Master to the Messengers of Intelligence, by which, in a short time, he put himself in a parliamensary equipage of coaches, horses, and attendants, got money and paid his father's debts; but was afterwards suspended the house, and now would not pay his own debts by his good will.

——*Nicholas*, one of the Judges of the Upper Bench, and afterwards one of the barons of the Exchequer.

Michael Oldsworth, no colonel, but governor of Old Pembroke and Montgomery, and had a share with his Lordship out of sir Henry Compton's Office, worth 3000*l.* per ann. was Keeper of Windsor Park, one of the two Masters of the Prerogative Office, and made the Bailiff of Westminster give him 50*l.* per ann. to continue him there.

* *Arthur Owen*, colonel.

Sir *John Bourchier*, of Yorkshire, a person of no great note, nor estate, till by his activeness in our late distempers, and fishing in troubled waters, he angled fair, and caught a great estate, which was that he fought for: he was a man as constant at Committees as at his dinners in Hell; where he may, in time, sup with his father Satan, having been a constant Rumper, and one of the king's cruel Judges.

‡ *Thomas Challoner*, also a Yorkshireman, eminent for his speech in the house, for the delivering of his late majesty out of the Scots clutches, into whose protection he had put himself; a man most virulently invective against monarchy, having been one of his majesty's cruel Judges; also now, at the soberest, an inseparable Rumper, and to the last an eminent stickler for a Commonwealth.

‡ *Richard Dean*, Goodman Button (an Hoyman of Ipswich) his boy, after a matross in the Army, then colonel and commander in chief in Scotland, till made one of the Generals at sea; he was there killed, having left a great estate behind him, viz. Havering Manor in Essex, whose Park he unmercifully demolished; he was not only one of the king's implacable Judges, but one of those that signed the Warrant for his Death, and appointed the time and place for his execution.

John Thurloe, a servant and secretary to Oliver St. John, was after that made principal Secretary of State to Oliver Cromwell and Richard, and chose Post-Master of England, a place of a vast income: he may be justly said to be also a principal instrument, and to have a great hand in bringing in all those abominable and wicked practices and oppressions that have been for these many years last past; by which, and his under-hand dealings, he did not only attain to much greatness and honour, but to a vast estate. He was brought into all the mock parliaments to give aim to his masters; and it is believed that he had a great hand with his brother Noel in selling some scores of those gentlemen as slaves, to the Barbadoes and other plantations, that were accused for being in the business at Salisbury with Mr. Penruddock and others; and was assisting in that Committee of Safety, whereof Fleetwood sat as Prince; but now where he is, and what will befal him next, is well worth the knowledge.

‡ *Henry Mildmay*, that prodigy of ingratitude, was servant to the late king, and not only knighted by him, but his majesty was pleased also in his own person to become an advocate for the obtaining alderman Holiday's widow for him; who, being also made Master of the King's Jewels, most impudently had the face to appear and sit as one of his gracious sovereign's Judges. He is a shallow fellow, by some surnamed sir Whimsey Mildmay; a pestilent Republican, and a Rumper.

‡ *Augustin Garland*, an old stander in the Long Parliament, an indefatigable stickler in most Committees; a notable Commonwealth's Man, and a resolute opposer of the Government in a Single Person; therefore out of date upon the intrusion of Oliver Cromwell; but in again upon the Restoration of the Rump, of which fraternity he was free. He was also one of his late majesty's most cruel Judges.

‡ *John Barkstead*, the son of Michael Barkstead, goldsmith, who also was himself in his minority a petty goldmith in the Strand, a very empty shallow-pated person; therefore the most fit to be cajoled and wrought on, being of the mallable temper: he forsook his shop, shuffled himself into the camp, where, more by fortune than valour, he climbed up to be a colonel, and after lieutenant of the Tower; adopted to be an alderman, major-general of Middlesex, a severe persecutor of the king's party; who also was one of his Judges: a thorough-paced agent for all governments, and a most active imp of Oliver the Usurper.

‡ *Edmund Harvey*, late a poor Silk-Man, afterwards made a colonel. He got into the bishop of London's House; and by his juggling insinuation crept into the Custom House, and was one of the farmers thereof; but, being accused of fraudulent dealings there, was discarded by Cromwell, though he had feasted him before most magnificently at Fulham. I never heard any that could speak of his honesty or courage, being, as to the last, a little inconsiderable rat; and, as to the other, a factious Rumper, and one of his majesty's cruel Judges.

‡ *Thomas Harrison*, a man of very mean

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birth, being the son of a butcher in or near Newcastle under-Line: he was servant to Mr. Hulk an attorney at law; but, preferring war before peace, got into the Army, and, having the knack of canting, was believed to be a person of surpassing piety; and so insinuated himself from one command to another, till he became major-general of Wales, being dangerously anabaptistical in his tenets, and a perfect Hater of orthodox Divines and a Devourer of their Maintenance; he was very lately a preacher, and indeed head of a rebaptized congregation in London; he was clearly against monarchy, not only sitting a malicious Judge against his majesty, but was one of those five who appointed the time and place for the king's Execution.

‡ *William Hevenningham*, of Norfolk, a gentleman of a most antient extraction, and a very fair estate, who was conceived to be drawn away more out of some animosity than interest: he was, among the rest, seduced to be one of the King's Judges, and was also one of the Rumpers.

‡ *John Okey*, his parentage was as mean as his calling, some deeming him a drayman, others a yeastman; but he was stoaker in a brewhouse at Islington, and next a most poor chandler near Lion-Key in Thames-Street, where living very poor and indigent, he converted his blue apron into a buff-coat, and became a colonel of dragoons; a fellow of greater bulk than brains, and strength than wit or conscience, otherwise he would have had more grace than to have sat one of the king's Judges, and be one of that most impudent Committee that signed the Warrant for his death, and appointed the time and place for his execution.

‡ *John Downs*, colonel, a person who did strike whilst the iron was hot, and so with his sword opened the trap-door to his fortune; one that hath thriven well by the times, having raised himself to a considerable estate; an enemy to monarchy, and a main man for a commonwealth, being one of the king's Judges, and a hater of any government in one single person; one of the Council of State in fifty-one, and an inseparable Rumper to the last gasp.

‡ *James Temple*, of Sussex, one of the Long Parliament, a colonel, and governor of Banbury-Castle in Sussex, got the estate of sir Charles Shelly violently, by order from the Rump Parliament, under the notion of his being grand-child of a Papist, and possessed it without giving any due account for it, pretending his good service; and, upon the interruption of the Rump, he took to the King's Bench, and afterwards came out by the Five Pound Act. The chief service he did was to be one of his Prince's cruel Judges, and a constant Rumper to the last.

‡ *Simon Mayne*, of Buckinghamshire; one of the Long Parliament, a great Committee-Man, wherein he licked his fingers. He was one of his prince's cruel Judges and a constant Rumper to the last.

Matthew Tomlinson, before these times, was a gentleman usher to a lady, and afterwards became a major in the Army, and then a col.; was sent a Commissioner into Ireland by Oliver Cromwell, and was knighted there by Henry Cromwell, the second son of that tyrant. He was one that conducted the king to the scaffold, and hath got a great estate.

‡ *John Dixwell*, burgess for Dover in the Long Parliament; was a colonel of Foot, a great Committee-Man in Kent, one of the Council of State, one of his prince's cruel Judges, and a constant Rumper to the last.

‡ *Isaac Ewer*. He was but a serving-man at first, as it is reported; his zeal led him into the wars, and so he became a colonel. He had much land given him in Ireland for his good service, and for being one of the cruel Judges of his prince.

‡ Sir *Gregory Norton*, of Sussex, a man but of a mean fortune before these times, as it is said; had Richmond-House and much of the king's Goods for an inconsiderable value, only they were the price of royal blood, he being one of his prince's Judges, and a constant Rumper to the last.

Edmund Prideaux, formerly Commissioner to the Great Seal, worth 1500*l.* per ann. did, by ordinance, practise within the bar, as one of the king's counsel, worth 5000*l.* per. ann. and, after that, was attorney-general, worth what he pleased to make it; postmaster for all the inland letters, at sixpence the letter, worth 15,000*l.* per ann. and he got it thus, the lord Stanhope, the postmasters, and carriers of England, complained in parliament against Mr. Witherings and others, touching the carrying of Letters, whereupon the benefit of Foreign letters was given to the earl of Warwick, worth more than 7000*l.* per. ann. and inland Letters to Mr. Prideaux. Was not this good justice?

* *Thomas Pury*, sen. first a Weaver in Gloucester, then an ignorant country sollicitor, had 3000*l.* given him; and, Mr. Gerrard's place in the Petty-Bag, worth 400*l.* per ann.

Thomas Pury, jun. son to the elder, in the first year of the parliament, servant to Mr. Townshend, an attorney of Staples-Inn, Receiver of the King's Rents in Gloucestershire and Wilts, clerk of the peace of Gloucestershire, worth 200*l.* per ann. and captain of foot and horse.

Francis Pierpoint, hath the archbishop of York's lands, lying in Nottinghamshire.

William Pierepont hath 7000*l.* given him, and all the earl of Kingston's estate, (being sequestered) worth 10,000*l.*

* *John Palmer*, doctor of physic, master of All-Souls, in Oxford, in Dr. Shelden's room; a place which was proper only for a divine.

* Sir *John Palgrave*, colonel at the siege of Newark.

Charles Pym, captain of a troop of horse, son to the great incendiary.

‡ *William Purefoy*, colonel and governor of Coventry, fought resolutely against the Cross in the Market-place at Warwick; and against

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the antient Monuments at the Earl's Chapel in St. Mary's Church there, who took the mourners in brass to be monks and friars, for which he had 1,500*l.* given him; but, when he should have fought with the enemy, hid himself in a barley field, (for which a waterman, who had been his soldier, afterwards refused to carry him) and was one of the king's Judges.

‡ *Isaac Pennington*, once lieutenant of the Tower, a year and a half lord mayor of London before his time, had 7000*l.* given him, and hath store of Bishops lands; yet this will not yield ten shillings in the pound to his creditors. He was one of the king's Judges.

Henry Pelham, Recorder in Lincoln, in the place of sir Charles Dalison.

Alexander Popham, colonel.

* *Edward Popham*, colonel, afterwards one of the generals at sea.

Francis Rous, provost of Eaton in Dr. Steward's place, worth 1000*l.* per ann. He was Speaker of the pretended parliament, which surrendered their authority to the Protector Oliver, and was afterwards one of his Council, and a Lord of his Other House.

Sir *Benjamin Rudyard* had 5,000*l.* given him.

Robert Reynolds had 2000*l.* given him, besides Abingdon-Hall, and the lands worth 400*l.* per ann. hath bought a good pennyworth of the Bishops Land, and, as it is reported, had 20,000*l.* beyond seas, as he made appear upon his marriage, besides the Solicitor-General's place.

Edward Rossiter, colonel and general of all the Lincolnshire forces, and governor of Belvoir-Castle, but since a promoter of the nation's happiness.

* Sir *Francis Russell*, colonel, brother-in-law to Oliver Cromwell, and one of his lords.

* *Thomas Rainsborough*, Governor of Woodstock, Taunton, and once admiral of England.

Alexander Rigby, colonel and governor of Boston, and one of the Barons of the Exchequer.

Richard Rose, hath the house and furniture of one Bailey, the king's glazier, which he got thus: He and Mr. J. Trenchard went to several houses about the Strand to hire lodgings for Malignants, gave good rates, but would have the best furniture; and they, being members of the house, would secure them; Mr. Bailey was one Mr. Rose caused to be sequestered, and got it to himself, for which he and Mr. Trenchard fell out; but Bailey, though an honest man, got not his goods again, which crosses the proverb.

John Roll, merchant, had 1500*l.* given him, out of sir John Worsenham's estate.

Humphrey Salway, the King's Remembrancer, in Mr. Fanshaw's place, worth 400*l.* per ann.

Sir *Walter Strickland*, Agent in Holland for the two houses of parliament, worth 5000*l.* per ann. or what more he was pleased to make it; was of all the Mock Parliaments, and of the Protector's Council, and captain of his foot-guard in Whitehall. He was lately one of the Commonwealth-Makers of the Committee of Safety, so called.

John Selden had 5000*l.* offered him, which he refused to accept, and kept his conscience.

* *John Stephens* had 1000*l.* given him out of the lord Astley's composition.

*‡ *Henry Smith* made one of the Six Clerks, worth 1000*l.* per ann. one of the king's Judges, and a constant Rumper.

* *Richard Salway*, once a Grocer's 'Prentice, and their Spokesman in one of their tumultuous hurries to the Long Parliament, and ever since was taken notice of for a great talker. He was a main man in the Committee of Safety; for which the Rump, when they sat again, rebuked him gently, as one that had gone Astray from the Good Old Cause; a major in the army, and a great purchaser.

Algernon Sydney, governor of Dover-Castle.

* *Philip Skippon*, serjeant-major-general of the Army, major-general of London, and governor of Bristol; a member of all the parliaments, one of Noll's Council, and a Lord of his Other House; a forward man in the decimating oppression. He hath gotten a vast estate, hath been of all parties, first a Presbyterian, till Philip Nye opened his eyes, and shewed him the way to worldly greatness.

‡ *Anthony Stapley*, colonel, and governor of Chichester, and one of his prince's murderers.

John Sydenham, colonel of horse and foot, governor of Weymouth and Melcomb-Regis, and commander in chief in Dorsetshire, had 1000*l.* given him; one of Cromwell's Council, a Lord of his Other House, had a great command in the Isle of Wight, and was one of the lords commissioners of the treasury. He was lately one of the Committee of Safety, and a great Rumper.

Richard Shuttleworth, colonel, and had very many of the Recusants Lands in Lancashire in Sequestration, himself being chief for Sequestrations there.

* *Augustin Skinner*, by his industry in the service, hath purchased the bishop of Rochester's manor of Brumley, in Kent, at a very low rate.

* *Robert Scowen* had 2000*l.* given him towards his losses, but hath the esteem of an honest man.

‡ *William Say*, a lewd lawyer, dealt much in Fen-Lands; one of his prince's murderers, a stately Committee-Man in Kent, and Speaker for ten days to the Rump, while Lenthall was sick or sullen.

Francis Thorpe, Receiver of the Money in Yorkshire, charged by some of the country for detaining 25000*l.* and one of the Barons of the Exchequer, for which he hath 1000*l.* per ann. besides the profits of the Place; a bitter enemy to his prince, and a creature of the Rump's making.

*‡ *Peter Temple*, captain of a troop of horse, a great Committee-Man, a constant Rumper, and one of the king's Judges.

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Sir *Thomas Trenchard* had 1200*l.* given him: Thus, he married his daughter to a Malignant, gave security for the payment of 1200*l.* portion, besides parliamentary courtesies; got his son-in-law sequestered, discovers the debt, and had it given him for his fidelity to the state. A neat parliamentary way to pay portions!

John Trenchard, brother to sir Tho. Trenchard, but a better father-in-law. He was governor of Wareham, married two of his daughters to Mr. Bingham and Mr. Sydenham, procured them to be made colonels of horse and foot, and governors of several garrisons; got them to be chosen members of the house of commons, and to be made free of his own trade by their father's copy.

Thomas Toll had the Customer's Place of Lynn-Regis, in his son's name, worth 300*l.* per ann. yet it is another's grant.

Sir *John Trevor* had 9000*l.* out of the marquis of Winchester's estate, and the marquis was put to his and Mr. Wallop's allowance for divers years together: besides Richmond Park and Ground, and the great Park at Nonsuch, he had a monopoly of 1500*l.* per ann. out of Newcastle coals.

Benjamin Valentine had 5000*l.* given him.

Samuel Vassel had 1000*l.* given him.

‡ *John Ven*, colonel, governor of Windsor, and one of the King's Judges, had 4000*l.* given him for losses, besides the plunder of the country about Windsor, much of the king's houshold stuff, as hangings, linen, and bedding.

Sir *Henry Vane*, sen. hath the bishop of Durham's Manor, Park, Demesne of Evenwood, and had 5000*l.* given him: he was also chairman for the king's, queen's, and prince's Revenue, the epitome whereof is lord-treasurer. His man Cozens was clerk to the committee, and got 1500 or 2000*l.* per ann. by it.

And if the Man such profits have,
What must he then that keeps the Knave?

Bulstrode Whitlocke, once a counsellor at law of the Middle-Temple, then a member of the Long parliament, where he profited much, advanced his interest, and became commissioner of the great seal. Before the troubles he was an intimate friend to sir Richard Lane, who, going to Oxford, entrusted him with his chambers in the Temple; of which, with all the goods and an excellent library, he hath kept possession ever since; and would not own that ever he knew such a man, when sir Richard's son was brought to wait upon him in his greatness. He was sent ambassador into Sweden in great state, and, when his masters were turned out, acted there for the Protector. He was since commissioner of the treasury under him, and one of his Lords of the Other House. Under Dick he was made commissioner of the Seal again; and, he being discarded, wheeled about and worshipped the Rump: and, when Lambert unseated them, he became President of the Committee of Safety; since which he has had the leisure to consider of his former honest actions, for which he had 2000*l.* given him at one time, and hath a good fleece, and heir to Lilly the astrologer.

Sir *Thomas Widdrington*, a lawyer. By his practice, and a formal compliance with the enslavers of these nations, he hath advanced his fortune. He was lately Commissioner of the Treasury, and of the Great Seal. He was Speaker of that parliament that betrayed the liberties of the people of England, by making acts of incredible injustice. He put on Oliver's robes at his Installation, and made him a worthy oration: for which good service he was made chief baron of the exchequer. His sly formality restored him to the Great Seal since the Rump's re-sitting. No doubt he is a weakly man, and has more of the willow than the oak.

‡ *Edward Whaley*, formerly a woollen draper, or petty merchant, in London; where not thriving, and being much in debt, he fled into Scotland till the wars began, which he hath found a more gainful trade, and in which he was commissary-general of horse. He was of the later parliaments, and a promoter of Oliver's ambitious designs and his country's slavery; for which he was made a major-general of, two or three counties, and a Lord of the Other House: but the restoring of the Rump checked this little man's greatness, till Lambert turned them out, and then he was sent into Scotland to desire Monk to be quiet. He was one of the accursed crew that dared to sit in judgment upon his sovereign.

Sir *Henry Vane*, jun. son to the elder, totally outed sir William Russel, and was sole Treasurer to the Navy, a place at least worth 6000. per ann. in time of war, especially when the lord-treasurer was his friend, more when he was his father. He was a discontent during all Oliver's and Richard's government. He is, no doubt, a man of much religion, and would become one of the Rulers of Israel, if the intended match between his son and Lambert's daughter had not been spoiled by the restitution of the Rump.

Sir *William Waller* lost two armies, and yet a gainer. He was afterwards one of the 11 impeached Members, and is become an honest man, and a patriot of his country.

Sir *Thomas Walsingham* had the honour of Eltham given him that was the earl of Dorset's, the middle park and an house which were Mr. White's, and had cut down 5000*l.* worth of Timber trees, but hath scarce one left of his own to make a gibbet.

*‡ Thomas Waite, colonel, governor of Burley-on-the-Hill, where he thrived so well that he bought 500*l.* per ann. He was one of the king's Judges.

‡ *Rowland Wilson*, colonel, one of his prince's Judges; and, as it is said, died with the conceit of it, being accused by a parrot for killing of his king.

Thomas Westrow, captain under sir Michael Livesey, and hath gotten the bishop of Worcester's manor of Hartlebury.

Sir *Christopher Wray*, colonel, since dead.

* *William Wray*, his son, colonel.

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William White, colonel, and was treasurer of war to the Army, in the North under the command of the old lord Fairfax.

Serjeant *Wylde*, lord chief baron, had, after the hanging of capt. Burley, 1000*l.* out of the privy purse of Derby-House. It is thought he afforded a great pennyworth in his service, which another would not have done for 10,000*l.* and it is affirmed he had 1000*l.* more upon the acquittal of major Rolph; so it is all one to him whether he hangs or hangs not. He lived retired during the Protectorian Government, but was lately restored to the Exchequer for being a lover of the Rump.

Robert Wallop, had 11,000*l.* out of the marquis of Winchester's estate, as it is reported.

‡ *Valentine Walton*, colonel, and governor of Lynn-Regis, purchased the queen's manor of Somersham, in the Isle of Ely, for a small matter, which he has improved to a large revenue by decoys, &c. which the rage of the people has lately demolished utterly. He was one of the king's Judges.

‡ Sir *Hardress Waller*, major-general of the Army, a colonel of horse, a great Committee-Man, and one of those five who were appointed to consider of the time and place of his late majesty's execution, which they appointed before his own door. He, with his assistants, were also the king's Judges.

It was reported that *Stephen Kirk*, *Daniel Cox*, *Robert Wakeman*, and *John Stinte*, Prime Clerks and Solicitors to their Committees, shared 1100*l.* of sir Edward Seabright's money, to keep him from being a Delinquent; and that records were taken off the file, and others put in their room, who gained great estates to themselves. The truth of this were worth inquiring after.

How many of those Members have undertaken to secure Malignants houses and Goods; but, in the end, have taken them all for their own use. What castles, houses, chases, and parks have they had, and the public no benefit thereof, is worth the inquiry: besides the king's Revenues and Compositions, which amounteth to ******.

Besides these Offices, Commands, and gratuities, every Member of the house of commons, being in all 516, are, by their own order, allowed 4*l.* per week a man, which amounts to 107,328*l.* per ann. By the Ordinance for sequestering Delinquents, April 1, 1643, it was declared that their Estates should go for maintenance of the Public Affairs; and several other Ordinances designed Bishops Lands for payment of 200,000*l.* public debt; yet you may see by this that Delinquents Estates and Bishops Lands were by the members of parliament shared amongst themselves, whilst the public debt is unsatisfied, and the Excise and Taxes held up.—Besides all this, the incomes they raised upon the people, under colour of the war, amounted to three millions per ann. at least.—And did they not intend to perpetuate their parliament, and entail their session (as the Priesthood on Levi) on confiding families to furnish them with Votes, as, sir Gilbert Gerrard and his two sons, sir Robert Harley and his two sons, three Fiennes, three Ashes, four Stephens, four Pelhams, four Herberts, four Temples, sir Thomas Jervois and his son, sir Henry Vane and his son, two Purys, two Chaloners, two Bacons, two Pierepoints, two Bonds, two Onslows, two Pools, two Lenthalls, &c. And that our Ecclesiastics may comply with our Temporal Governors, the house abolished (as superstitious, because legal) the Convocation of learned Divines, regularly chosen by the King's Writ, and duly elected by the Clergy; and the house of Commons nominated an Assembly of gifted Divines, for that there is not an Assembly Man but what is thrust into another's Benefice.

END OF VOLUME III.

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